

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.48796 of 2016**

Arising Out of PS.Case No. -430 Year- 2016 Thana -FORBESGANJ District- ARRARIA

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1. Dr. Samsul @ Md. Samsul son of Late Dhaturi @ Manjhri
  2. Md. Kalimuddin son of Late Sayed
  3. Md. Mofil son of Md. Idrish
  4. Md. Haroon @ Haroon son of Late Domi
  5. Md. Kamruddin son of Late Sohram
  6. Zabir son of Islam
  7. Md. Khalil son of Late Kamruddin

All are resident of Village- Choura Parwaha, P.S.- Forbesganj,  
Dist- Araria.

.... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Ramesh Kumar Singh

For the Opposite Party/s : Mr. Sri Madan Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR**  
**ORAL ORDER**

2      06-12-2016                      At the very outset, Sri Ramesh Kumar Singh, learned counsel for the petitioners, in presence of Sri Madan Kumar, learned Addl. Public Prosecutor, submits that during pendency of the present petition, petitioner no.7, namely, Md. Khalil has already been arrested.

Accordingly, anticipatory bail petition, so far as petitioner no.7 is concerned, stands dismissed as the same has become infructuous.

Heard Sri Ramesh Kumar Singh, learned counsel for the petitioners and Sri Madan Kumar, learned Addl. Public



Prosecutor.

Petitioners have prayed for grant of anticipatory bail in Forbesganj P.S. Case No.430 of 2016 registered for the offence under Sections 147, 341, 342, 354(B), 355, 379, 500, 504, 509, 506 of the Indian Penal Code.

It was submitted by learned counsel for the petitioners that petitioners along with almost all members of the village have been made accused by the informant on false accusation. However, after going through the F.I.R. the Court is of the opinion that it is not a case for grant of anticipatory bail.

The petition stands dismissed.

It goes without saying that if the petitioners appear before the court below within six weeks from today and make a prayer for regular bail, the learned court below without being prejudiced with this order may examine the same and pass appropriate order in accordance with law preferably on the same day. It is made clear that this Court has declined to exercise jurisdiction under Section 438 of the Code of Criminal Procedure.

**(Rakesh Kumar, J)**

NKS/-

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