

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25486 of 2016

Arising Out of PS.Case No. -57 Year- 2016 Thana -KHAJAJULI District- MADHUBANI

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1. Md. Ali Hassan Son of Md. Anwar @ Md. Ambar,
2. Md. Anwar @ Md. Ambar Son of Md. Ishaque,
3. Md. Sultan @ Md. Salnan Son of Md. Shamsair,
4. Md. Shakir Son of Md. Sultan @ Md. Salnan,
5. Md. Mustakim @ Md. Musankim son of Md. Sadique. resident of
village- Rashidpur, Navtolia, P.S. Khajouli, District- Madhubani.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Indra Kumar Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 24-06-2016

Heard learned counsel for the parties.

The petitioners are apprehending their arrest in a case registered for the offence punishable under sections 341, 323, 324, 307, 379, 504, 506, 34 of the Indian Penal Code.

Prosecution case is that on 14.3.2016 the F.I.R. accused persons assaulted the informant. Petitioner no.1 Md. Ali Hassan snatched Rs.20,000/- from the pocket of the informant. On 15.3.2016 Md. Shakir assaulted with Farsa to the informant.

It is submitted by the learned counsel for the petitioners that the accusation of assault is specific only against petitioner no.4 Md. Shakir. Injury has been found to be simple in nature. Statement has been made in paragraph 3 of the application that the

petitioners have no criminal antecedent.

Considering the specific accusation of assault against petitioner no.4, his prayer for anticipatory bail is rejected. Let the learned court below consider the prayer for regular bail of petitioner no.4, Md. Shakir, if petitioner no.4 surrenders before the learned court below within a period of six weeks from today in connection with Khajouli P.S.Case No. 57/2016 pending in the court of Judicial Magistrate, 1st Class, Madhubani.

So far as petitioners no. 1, 2, 3 and 5 are concerned, since the accusation of assault is not specific, let petitioners no. 1, 2, 3 and 5, abovenamed, in the event of their arrest or surrender before the court below within a period of twelve weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Madhubani in Khajouli P.S.Case No. 57/2016, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

Surendra/-

(Dinesh Kumar Singh, J)

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