

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25790 of 2016

Arising Out of PS.Case No. -31 Year- 2016 Thana -JOGBANI District- ARRARIA

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1. Md. Majir @ Md. Jamir, Son of late Md. Jamiruddin
 2. Md. Fazir @ Sk. Fazir, Son of late Panchu
 3. Md. Jabbar, Son of Md. Majir,
All are Residents of Village- Bagmaraha, Police Station- Forbesganj,
District- Araria.
 4. Md. Dildar @ Dildar, Son of Sudi, resident of Village- Gorha Osri,
Police Station -Jogbani, District Araria

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr. Sunil Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SAMARENDRA PRATAP SINGH

ORAL ORDER

2 15-07-2016

Learned counsel for the petitioners seeks permission to withdraw the bail application with respect to petitioner no.1, namely, Md. Majir @ Md. Jamir, only, as he has been arrested during the pendency of this petition.

Permission is accorded.

Bail application, so far as petitioner no.1 is concerned, is dismissed as withdrawn.

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in a case under Sections 376, 384, 385, 420, 120B of the Indian Penal Code.

Learned counsel submits that the petitioners are not perpetrators of the offence under Section 376 of the Indian Penal Code nor they are abettor. The allegation against them is that they are punches, who tried to effect the settlement. As the petitioners have failed to effect the settlement, they have also been made accused in the instant case.

In the facts and circumstances of the case, in the event of arrest or surrender before the court below within four weeks from today, petitioner nos. 2 to 4, namely, Md. Fazir @ Sk. Fazir, Md. Jabbar and Md. Dildar @ Dildar, be released on bail on furnishing bail bond of Rs.5000/- (Five thousand) each with two sureties of the like amount each to the satisfaction of 1st Additional Sessions Judge-cum-Special Judge, Araria in connection with Jogbani P.S. Case no. 31 of 2016 subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Samarendra Pratap Singh, J.)

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