

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34775 of 2016

Arising Out of PS.Case No. -93 Year- 2016 Thana -AKBARPUR District- NAWADA

- =====
1. Akhtar Miyan @ Akhtar Husain Son of Abdul Bari.
 2. Raju Son of Akhtar Husain.
 3. Pyaru, Son of Akhtar Husain. All are resident of village- Baliya Bujung, P.S.- Akbarpur, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate
For the Opposite Party/s : Mr. (Dr.) Mrityunjaya Kr. Gautam, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 24-08-2016

Heard learned counsel for the petitioners and

learned APP for the State.

Petitioners apprehend arrest in connection with
Akbarpur P.S. Case No. 93/16 for offences alleged under Sections
341, 323, 448, 307, 379, 504, 34 of the Indian Penal Code.

Allegation is that petitioners and one Ekram @
Golu came to the house of informant and started abusing and when
protest was made they also assaulted the sons of the informant.
Accused Ekram @ Golu assaulted the son of the informant
Iftekhhar Alam by *gandasa* causing injury on his head and he
became unconscious and all of them also snatched the golden
chain of the wife of the informant.

It has been submitted by the learned counsel for
the petitioners that they are innocent having committed no offence

and have been falsely implicated in the aforesaid case due to some land dispute between the parties. He submits that one of the co-accused on similar allegation has been granted the privilege of anticipatory bail in Cr. Misc. No. 34008 of 2016 on 20.08.2016. He submits that the injury found on the informant and his son has been found to be simple in nature and that the petitioners have clean antecedent, as is evident from paragraph 3 of this petition.

However, learned APP for the State submits that the petitioners are named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since similarly situated co-accused on similar allegation has been granted the privilege of bail let petitioners, above named, in the event of their arrest or surrender before the court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada, in connection with Akbarpur P.S. Case No. 93/16, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

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