

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60299 of 2017

Arising Out of PS.Case No. -85 Year- 2017 Thana -PATEPUR District- VAISHALI(HAJIPUR)

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1. Md. Mafooz @ Md. Mahfooz Alam,
 2. Md. Jasim,
Both sons of Md. Islam.
 3. Md. Yunus
 4. Md. Taiyab,
Both Sons of Md. Hafiz.
 5. Md. Taufique Alam @ Md. Taufique, Son of Md. Taiab,
All resident of Village- Lemuari Simarwara, P.S.- Patepur, District-
Vaishali.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 21-12-2017 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The petitioners seek pre-arrest bail in connection
with Patepur P. S. Case No.85 of 2017 registered under Sections
341, 323, 324, 326, 307 and 504/34 of the Indian Penal Code.

Regard being had to the direct and specific
allegation made against petitioner no. 1 Md. Mafooz @ Md.
Mahfooz Alam that he assaulted the informant with sword, I am



not inclined to grant him pre-arrest bail. Accordingly, his application for grant of pre-arrest bail is rejected. However, in case he surrenders and seeks bail, the same shall be considered on its own merit without being prejudiced in any manner by this order.

So far as petitioners no. 2 to 5, namely, Md. Jasim, Md. Yunus, Md. Taiyab and Md. Taufique Alam @ Md. Taufique are concerned, since there is general and omnibus allegation against them and the injuries sustained are all simple in nature, they are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-X, Vaishali in Patepur P. S. Case No.85 of 2017, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure, in the event of arrest or surrender before the court below within six weeks from today.

(Ashwani Kumar Singh, J.)

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