

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53612 of 2017

Arising Out of PS. Case No. -412 Year- 2015 Thana -SIKARPUR District- WESTCHAMPARAN
(BETTIAH)

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1. Allauddin Dewan, son of Anarul Dewan
2. Salauddin Dewan, son of Anarul Dewan
3. Gulfam Dewan, son of Ansarul Dewan
4. Irfan Dewan, son of Ansarul Dewan
All residents of village- Satwariya, P.S.- Shikarpur, District- West
Champaran. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate
For the Opposite Party/s : Mr. Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR
UPADHYAY
ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioners and State.

The petitioners apprehend their arrest in connection with Shikarpur P.S. case no. 412 of 2015 for the offence under Sections 147, 148, 149, 448, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code.

After some argument, counsel for the petitioners seeks permission to withdraw the anticipatory bail application filed on behalf of petitioner no.1, namely Allauddin Dewan.

The bail application filed on behalf of petitioner no.1, namely, Allauddin Dewan is dismissed as withdrawn. However, withdrawal of the bail application will not in any manner prejudice the case of petitioner no.1, namely, Allauddin Dewan, if he surrenders before the court below and prays for regular bail. The



bail application shall be considered on the same day on its own merit.

Counsel for the petitioners submits that so far as petitioner nos. 2, 3 and 4 are concerned, there is no allegation of any overt act against them. Counsel for the petitioners has drawn the attention of this Court to the order passed by a Co-ordinate Bench of this Court on 15.12.2015 in Cr. Misc. No. 56675 of 2015, whereby five persons have been granted anticipatory bail.

Considering the fact that against these petitioners there is no specific overt act alleged and also considering the order passed in Cr. Misc. No. 56675 of 2015, the petitioner nos. 2 to 4, named above, in the event of arrest or surrender before the court below within one month from today, are directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the amount each to the satisfaction of Additional Chief Judicial Magistrate, West Champaran at Bettiah in connection with Shikarpur P.S. case no. 412 of 2015 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Upadhyay, J)

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