

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.11278 of 2017

Arising Out of PS.Case No. -12 Year- 2016 Thana -PALASI District- ARRARIA

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1. Umar Farooque, Son of Late Riyazuddin, Resident of Village-
Bhattabari, Police Station- Palasi, in the district of Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Mr. Sri Atul Chandra

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA**

ORAL ORDER

2 03-04-2017

Heard both sides.

The petitioner apprehends his arrest in Palasi P.S.
case No. 12 of 2016 under Section 307 and other Sections of the
Indian Penal Code. Later on Section 302 of the IPC was added
vide order dated 17.02.2016.

The informant named 24 persons, including the
petitioner, and alleged that they all assaulted his brother Md.
Bakar with different weapons. Md. Nurul Hoda assaulted with
him with sword on his head. The informant further alleged that the
accused persons also assaulted Md. Manir, Md. Tafajul and others.

The learned counsel for the petitioner submits that
name of petitioner figured at serial No. 17 of the FIR but no
specific allegation is made against the petitioner. There is a
counter version. The police after investigation submitted final
form finding the case false against the petitioner but the learned



court below took cognizance against him also. It is submitted that eight accused person have been granted anticipatory bail vide order passed in Cr. Misc. No. 22281 of 2016 and eight other accused persons have also been granted anticipatory bail vide order passed in Cr. Misc. No. 19743 of 2016 and the case of petitioner stands on the same footing.

Considering the facts that there is omnibus and general allegation of assault against the petitioner and similarly situated other accused persons have already been granted anticipatory bail by different benches of this court, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri R. Narayan, learned Additional Chief Judicial Magistrate-III, Araria in Palasi P.S. Case No. 12 of 2016, (G.R. No. 225 of 2016) subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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