

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11385 of 2017

Arising Out of PS.Case No. -113 Year- 2016 Thana -KARPI District- JEHANABAD

- =====
1. Asgar Mian, Son of Sulman Mian
 2. Mister Sah, Son of Asgar Sah,
 3. Ashik Sah, Son of Asgar Mian, All Resident of Village- Rohai, P.S.-
Karpi, District- Arbal.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Vinod Kumar, Advocate

For the Opposite Party : Mr. Zainul Abedin (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

- 2 21-03-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners apprehend their arrest in connection with Karpi P.S. Case No. 113 of 2016, registered for the offences punishable under Sections 341, 323, 307, 504, 147, 149 of the Indian Penal Code.

Allegedly, when the informant, his nephew and cousin brother were cleaning drain, the petitioners and other co-accused having armed with lathi, danda and rod came there and assaulted on the head of the informant and his nephew and his cousin brother was also assaulted mercilessly.

Submission is of false implication and that there is no



specific allegation against the petitioners, the allegations are general and omnibus in nature. The petitioners have got no criminal antecedent, the nature of injury is said to be simple hence, no offence under Section 307 of the I.P.C. is made out against the petitioners. In this case similarly situated Nasur Mian @ Nasir Mian, Md. Hamid @ Hamid Mian and Shakil Mian @ Saquil Mian have already been allowed pre-arrest bail vide Cr. Misc. No. 54366 of 2016 and, as such, the petitioners deserve sympathetic consideration, to which the learned A.P.P. does not dispute.

In the facts and circumstances as stated above, the petitioners in the event of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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, Arbal, in connection with Karpi P.S. Case No. 113 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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