

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6842 of 2017

Arising Out of PS.Case No. -287 Year- 2015 Thana -JAYNAGAR District- MADHUBANI

- =====
1. MD. NASHIBA @ NASHIBA Son of Md. Muslim,
 2. Md. Ashlam, Both Sons of Md. Muslim, Resident of Korhaiya, P.S. - Jainagar, District - Madhubani.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav

For the Opposite Party/s : Mr. Iftekhar Mahmood

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

- 2 13-02-2017 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Jainagar P.S. Case No. 287 of 2015 for the offences instituted under Sections 341, 323, 448, 307, 379, 504 and 34 of the Indian Penal Code.

The allegation against the petitioner no.1 is of committing assault by sword on the leg of the informant and the allegation against the petitioner no.2 is of assaulting Md. Naseem, Hasbul Khatoon and Rashida Khatoon by lathii, sword and farsha, causing injury to them.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no



allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The petitioner no.1 is said to have assaulted on the leg of the informant. The said injury is simple in nature, as per injury report. As far as the petitioner no.2 is concerned, a general and omnibus allegation has been made against him. No specific injury has been attributed against him.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Jainagar P.S. Case No. 287 of 2015 on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Madhubani, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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