

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6299 of 2017

Arising Out of PS.Case No. -57 Year- 2016 Thana -KASMA District- AURANGABAD

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1. Md. Aziz Miyan son of Late Amanat Kiyan
 2. Md. Makbul @ Md. Makbul Alam, son of Md. Aziz Miyan
 3. Md. Nasim @ Md. Nadim Alam son of Md. Aziz Miyan
 4. Md. Badud son of Md. Aziz Miyan
- Al are resident of village Batura, P.S. Kasma, Distt. Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-02-2017 This is an application for grant of anticipatory bail for offences punishable under Sections 147, 148, 149, 341, 323, 307 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

Heard learned counsel for the petitioners.

It has been submitted on behalf of the petitioners that there is case and counter case between the parties. Petitioners have filed a case earlier to filing of the present case by the informant. There is general allegation against the petitioners that they have assaulted by lathi and danda. Further, allegation against them is that they fired at the son of the informant but it caused no injury on the person of the informant's side rather there is one fire arm injury on the person of the petitioner's side.



Heard learned A.P.P. also. He has opposed the prayer for anticipatory bail.

Having heard both sides, in view of the fact that there is case and counter case, there is injury from the side of the petitioner and no injury is found from the side of the informant, let above named petitioners, in the event of arrest or surrender within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty-five thousand only) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Aurangabad, in connection with Kasma P.S. Case no. 57 of 2016 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure. There are other conditions also that (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the investigation and make themselves available before the police as and when required.

(Vinod Kumar Sinha, J)

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