

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21552 of 2017

Arising Out of PS.Case No. -335 Year- 2016 Thana -BAKHTIARPUR District- SAHARSA

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1. Md. Ibrahim @ Gama @ Ibrahim
2. Md. Irfan @ Md. Irfan Alam
3. Umar Farooq @ Md. Umar Farooq
4. Md. Yusuf, All Sons of Late Abdul Ajim Sah
5. Abdul Rashid @ Md. Rashid Son of Late Kabo Sah
6. Aajam @ Md. Aajam, Son of Md. Abdul Rashid
7. Afsar @ Md. Afsar, Son of Idrish Sah
8. Md. Jasim @ Akbar, Son of Md. Ismile
9. Md. Parwej @ Parwej, Son of Late Rijwan, All residents of village -
Simri Bakhtiyarpur Shikari Tola P.S. Bakhtiyarpur, Dist - Saharsa.

.... Petitioners

Versus

1. The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha

For the Opposite Party/s : Mr. Upendra Kumar

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-05-2017 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Bakhtiyarpur P.S. Case No. 335 of 2016 for the offences instituted under Sections 147, 148, 149, 323, 324, 307, 452 and 380 of the Indian Penal Code.

The allegation against the petitioners is of assaulting the informant side, after forming an unlawful assembly and further looted the ornaments of female members and also took away other house hold articles.



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. There is a case and counter case between the parties. The nature of injury is said to be simple. Hence, no offence under Section 307 of the Indian Penal Code is made out against the petitioners.

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 Bakhtiyarpur P.S. Case No. 335 of 2016 on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Saharsa, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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