

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25259 of 2017

Arising Out of PS.Case No. -222 Year- 2015 Thana -JAGDISHPUR District- BHAGALPUR

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1. Buland Akhtar, son of late Kailu, resident of village- Baluachak, P.S. Jagdishpur, Distt. Bhagalpur.
 2. Md. Gholu, son of late Jalil
 3. Md. Jiyaz @ Md. Riyaz @ Riyaz son of Md. Majun
 4. Md. Jumman, son of late Md. Hashim
 5. Md. Chhotu, son of Md. Gholu
 6. Md. Lukhar, son of Md. Gholu
All R/o Village Jichho, P.S. Lodipur, Distt. Bhagalpur.
 7. Md. Sheru, son of Md. Firoz resident of Mohalla Mojahidpur, P.S. Mojahidpur, Distt. Bhagalpur.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Firoz Ahmad, Adv.

For the Opposite Party/s: Smt. Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 20-07-2017 Heard learned counsel for the petitioners and

learned counsel for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Jagdishpur P.S. Case No.222 of 2015, registered for the offence punishable under Sections 447, 147, 148, 149, 342, 323, 324, 307 and 379 of the Indian Penal Code.

Allegation has been made that while the informant going to harvest the paddy, the accused person along with 15-20 unknown persons came there holding lethal weapons, surrounded the informant and started assaulting him as well as other family members.



From the case diary, it appears that there is directed allegation against the petitioner no.1 to have caused injury by musket, petitioner no.2 assaulted with *lathi* and petitioner nos.3, 5, 6 and 7 also assaulted with *farsa*.

Considering the fact that there is no specific allegation against the petitioner no.4, let the petitioner-Md. Jumman, in the event of his arrest or surrender before the Court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur, in connection with Jagdishpur P.S. Case No. 222 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

So far as the bail of rest petitioners i.e. petitioner nos. 1, 2, 3, 5, 6 and 7 are concerned, the same is rejected. If the petitioners surrender before the Court below within four weeks from today and pray for bail, the court below will pass the order in accordance with law without being influenced by the order of this Court.

(Shivaji Pandey, J)

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