

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.32879 of 2017**

Arising Out of PS.Case No. -147 Year- 2016 Thana -KALYANPUR District- SAMASTIPUR

- =====
1. Md. Murtuza, Son of Md. Jameer
  2. Nashima Khatoon, wife of Md. Murtuza
  3. Md. Phool Babu, Son of Md. Murtuza
  4. Md. Samim, Son of Md. Murtuza
  5. Md. Moshim, son of Md. Murtuza
  6. Najrana Khatoon @ Najrana Bano, D/o Md. Murtuza

All resident of village Rampura, P.S Kalyanpur, District Samastipur

7. Sayara Bano, wife of Md. Dilshad
8. Md. Ershad, Son of Md. Dilshad

Both resident of village Bakhari, P.S Bakhari, District Begusarai

9. Shakila Khatoon @ Shakila Bano, wife of Md. Golden

Resident of Mohalla Bhagwan Das, P.S Town, District Darbhanga

10. Tarmum Khatoon @ Tarnum Khatoon, wife of Md. Phool Babu,  
resident of village Rampura, P.S Kalyanpur, District Samastipur

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ranjan Kumar

For the Opposite Party/s : Mr. Sri Satya Nand Shukla

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**CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR**  
**ORAL ORDER**

2      20-07-2017

Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case



registered for the offences punishable under Sections 147, 148, 149, 341, 323, 326, 379 and 504 of the Indian Penal Code.

During occurrence of free fight, petitioner no. 3 Md. Phool Babu is alleged to have caused injury with dagger at the forehead of Md. Nasir.

There is case and counter case. Both sides have sustained injury. There is general and omnibus allegation against other petitioners.

Considering the nature of allegation against petitioner no. 3 Md. Phool Babu, I am not inclined to enlarge him on anticipatory bail.

Hence, prayer for bail of the petitioner no. 3 is refused.

Let the petitioner nos. 1, 2, 4, 5, 6, 7, 8, 9 and 10, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.20,000/- (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur/successor Court in connection with Kalyanpur Police Station Case No. 147 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure as well as condition that the petitioner nos. 1, 2, 4, 5, 6, 7, 8, 9 and 10 shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner nos. 1, 2, 4, 5, 6, 7, 8, 9 and 10.

**(Birendra Kumar, J)**

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