

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61499 of 2017

Arising Out of PS. Case No.-74 Year-2017 Thana- THAKURGANJ District- Kishanganj

1. Abid Son of Bahadur
2. Anjila Wife of Abid
3. Husan Ara Wife of Jamal All Resident of Village-Munshi Bhatta
P.S.Thakurganj District Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh kumar
For the Opposite Party/s : Mr. MD. ASHLAM ANSARI

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 19-12-2017 Heard learned counsel for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under sections 147,148,149,324,307 and 379 of the IPC.

The prosecution case is that on the door of the informant mosque and Madarsa were being run temporarily. On 18.8.2017 at 8 P.M. the accused persons including the petitioners came variously armed and surrounded the informant and started abusing him. On protest being made, co accused Noor Alam assaulted with axe on the head of the informant and when the informant's wife came to rescue, she was also assaulted with bamboo.



In the meantime, the accused persons took away jewellery of the informant worth Rupees Five Thousand.

It is submitted by learned counsel for the petitioners that the accusation is specific only against co accused Noor Alam (non-petitioner). Though injury of the informant has been found to be grievous but the same has been alleged to have been caused by co-accused Noor Alam. Statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent. Moreover, the informant has retracted from the initial version and a petition to that effect, as contained in Annexure 2, has been filed before the learned court below.

Considering the fact that the thrust of accusation is against co-accused Noor Alam and statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned



CJM, Kishanganj in connection with Thakurganj P.S.
Case No.74 of 2017.

(Dinesh Kumar Singh, J)

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