

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3427 of 2017

Arising Out of PS.Case No. -2 Year- 2016 Thana -BIBHUTIPUR District- SAMASTIPUR

- =====
1. Md. Javed Akbal @ Javed Ekbal son of Md. Ajim @ Jhunka
 2. Md. Faiyaj son of Md. Ajim @ Jhunka
 3. Md. Ajim @ Jhunka son of late Md. Sadik,
All resident of village- Kerai Baijnathpur, P.S.- Bibhutipur,
Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Narain Sinha
For the Opposite Party/s : Mr. Sri Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

5 16-05-2017 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Bibhutipur Police Station Case No. 02 of 2016, disclosing offences under Sections 363 and 364 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that there is general and omnibus allegation against the petitioners and no specific overt act is attributed to them. In fact, these petitioners have falsely been made accused in this case on account of earlier case being Bibhutipur P.S. Case No. 129 of 2012 lodged by the petitioners against the informant for commission of murder of son of the petitioner No.3. Hence, the petitioners deserve the privilege of anticipatory bail.



Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub- Divisional Judicial Magistrate, Rosera, in connection with Bibhutipur Police Station Case No. 02 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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