

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.4408 of 2017

Arising Out of PS.Case No. -271 Year- 2016 Thana -BARARI District- KATIHAR

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1. MANJOO KHATOON @ MANJO KHATOON wife of Allaudin Sah
 2. Aslam Sah, son of Allaudin Sah null
 3. Md. Sabir Sah, son of Mazlum Sah Petitioner no. 1 to 3 are Resident of Village- Rayin Tola, Sakrali, P.O. Samapur, Police Station- Barari (Samapur), District- Katihar.
 4. Md. Munna Sah, son of Shiyazuddin Sah, Resident of Village- Goshi, Post Office+ Police Station- Mranga, District- Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandeep Patil

For the Opposite Party/s : Mr. Sri Murlidhar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

4 21-03-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Barari (Samapur) P.S. Case No. 271 of 2016 instituted for the offence under sections 147, 148, 341, 323, 324, 448 and 307 of the Indian Penal Code.

It is alleged that all these petitioners with other accused persons named in the written report, in the night assaulted the son of the informant. The son of the informant was taken to Sadar hospital and thereafter, he was referred to Patna.

The learned A.P.P. has submitted that injury report



issued from the private hospital is enclosed in the case diary where one injury was found on the right body of mandible of son of the informant. The nature of injury has not been mentioned. The weapon used for causing such injury is also not mentioned in the written report.

From the written report itself, it appears that there is general and omnibus allegation against all these petitioners and it cannot be ascertained as who was author of the aforesaid injury as mentioned in the written report and the case diary.

It is mentioned in para-3 that the petitioners have no criminal antecedent.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners named above, within six weeks from today, in connection with Barari (Samapur) P.S. Case No. 271 of 2016, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Sanjay Priya, J)

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