

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28799 of 2017

Arising Out of PS.Case No. -28 Year- 2017 Thana -RAUTRA District- KATIHAR

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1. Md. Jahangeer son of late Sabed Ali
2. Md. Rafique son of Malekastur
3. Md. Masdar Ali @ Masdar Ali son of late Abdul Hasib

All are residents of village Churli Ghat, P.S. Rautara, District Katihar.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Smt. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL ORDER

2 01-07-2017 Heard learned counsel for the petitioners and the learned APP appearing on behalf of the State.

Petitioners apprehend their arrest in connection with Rautara P.S. Case No.28 of 2017 registered under Sections 147, 148, 149, 341, 323, 324, 307, 354, 379 and 504 of the Indian Penal Code.

Allegation in brief is that due to dispute of Madarsa land, petitioners after forming an unlawful assembly armed with deadly weapons assaulted the informant and others.

Learned counsel for the petitioners submits that there is case and counter case and allegations are not specific. However, opinion regarding one of the injuries is reserved.

Having considered the said facts and circumstances,



it appears that informant's husband had sustained head injury, others were also injured in this occurrence, petitioners no.1 to 3 have criminal antecedent and against some there are number of cases.

Having considered the said facts and circumstances, prayer for anticipatory bail of the petitioners is rejected in connection with Rautara P.S. Case No.28 of 2017, pending in the court of the learned Judicial Magistrate, 1st Class, Katihar. However, if they surrender and seek regular bail, the same shall be considered on merit without being prejudiced by this order.

(Arun Kumar, J.)

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