

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51596 of 2017

Arising Out of PS. Case No.-61 Year-2016 Thana- Darbhanga District- Darbhanga

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1. Md. Jubair @ Md. Zubair @ Bhola Mian @ Bhala Miya, S/o Late Shamshul
 2. Md. Hasan @ Md Hussain @ Chikna S/o Md Jubair @ Bhola Miya
 3. Md. Pyare @ Payare S/o Azim All Resident of Village/Mohalla-Bhagwan Das (Sena Path), Mufti Colony, P.S.- Town, District-Darbhangha.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Kedar Jha, Adv.

For the Opposite Party/s : Mrs. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-11-2017 Heard learned counsels for the petitioners and State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 337, 323, 324, 307, 504 and 506 of the IPC.

The prosecution case is that one Raja dashed the son of petitioner no.1 with motorcycle causing serious injury, when both sides gathered and pelted stones and bricks on each other side.

It is submitted by learned counsel for the petitioners that accusation of pelting stones is omnibus and general. Two persons namely, Rohit Kumar and Jitendra Kumar received injury. Only injury of Rohit Kumar has been found to be grievous, but accusation of assaulting him is not specific against petitioners. Statement has



been made in paragraph no. 3 of the petition that the petitioners have no criminal antecedent.

Considering the fact that both sides fought in the background of admitted fact that the son of petitioner no.1 was dashed by one Raja, coupled with statement made in paragraph no.3 of the petition that the petitioners have no criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga in connection with Darbhanga Town P.S. Case No. 61 of 2016, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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