

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35088 of 2016

Arising Out of PS.Case No. -116 Year- 2016 Thana -KATIHAR MUFFASIL District- KATIHAR
=====

1. Md. Mustaque

2. Md. Haidar

Both are sons of Noor Mohammad, resident of village- Garveli, Police Station Katihar (Muffasil), District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar

2. Md. Mukhtar, son of late Gulam Mustafa, resident of village Garveli, Police Station Katihar (Muffasil), Distt. Katihar.

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Viveka Nand Singh, Advocate.

For the Opposite Party/s : Mr. Ramesh Chandra, A.P.P.
=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

6 30-01-2017 Heard learned counsel for the petitioners and the State.

The petitioners seek anticipatory bail in a case instituted for the offence under Sections 147, 148, 149, 341, 323, 324, 307, 504 and 506 of the Indian Penal Code.

It is alleged that there is specific allegation against Md. Hakim of assaulting brother of the informant Hazrat on his head with lathi. There is general and omnibus allegation against the petitioners. It has further been alleged that Md. Hazrat in his statement made in paragraph-7 of case diary stated about the informant sustaining injury. The injury report has been enclosed as



Annexure-2 wherein the doctor has found injury on the face and scalp but no any opinion has been given. The doctor also not mentioned in the case diary the weapon by which the injury was caused. Further submission is that the case has been compromised between the parties and a joint compromise petition has been filed in the lower court which is annexed as Annexure-1 to the supplementary affidavit filed on behalf of the petitioners.

In such circumstances, let the petitioners above named in the event of surrender within six weeks from the date of receipt of this order, in connection with Katihar (Muffasil) P.S. Case No. 116 of 2016, shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Sri S.K. Sharma, Judicial Magistrate, 1st Class, Katihar, subject to the conditions as laid down under Section 438 (2) Cr. P.C.

S.Ali/-

(Sanjay Priya, J)

U		T	
---	--	---	--

