

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.28344 of 2017

Arising Out of PS.Case No. -225 Year- 2016 Thana -BIRPUR District- SUPAUL

- =====
1. Md. Murad @ Md. Sabir, Son of Late Md. Isahque,
 2. Md. Akhlak @ Kaila Ashraf, son of Md. Murad, resident of Village-Bairiya Araji, Police Station- Birpur, District- Supaul.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Arun, Advocate.

For the Opposite Party : Mr. Anil Prasad Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-07-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Birpur P.S. Case No. 225/2016 for the offences instituted under Sections 447, 341, 323, 324 and 504/34 of the IPC.

The prosecution story, in brief, is that the father of the informant was beaten by the petitioner no. 1 with Lathi on the head and petitioner no. 2 has beaten the mother of the informant indiscriminately due to grazing of she-goat in the vacant field of the petitioners. The injured were getting treatment in hospital.

It has been submitted on behalf of the petitioners that the



petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. They have falsely been implicated in the present case. The petitioners were granted provisional bail under Section 41(1) Cr. P.C. No specific injury is said to have been caused by the petitioners. Learned counsel for the petitioners further relied upon the judgment in the case of Gauri Shankar Roy Vs. The State of Bihar, reported in 2015(3) PLJR 618 on the point of maintainability of the present anticipatory bail application.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Birpur P.S. Case No. 225/2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Birpur at Supaul, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)