

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32553 of 2017

Arising Out of PS.Case No. -183 Year- 2017 Thana -BODHGAYA District- GAYA

- =====
1. Md. Shafiqul Hassan @ Raju
 2. Md. Shamsher Alam @ Raja
 3. Md. Nazish Hussain
 4. Sajid Hussain @ Babu, All Sons of Ali Hussain, Resident of Village-
bodh Gaya Bazar, P.S.-Bodhgaya, District-Gaya

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mahtab Alam

For the Opposite Party/s : Smt. Rita Verma

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 10-08-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Bodh Gaya P.S. Case no. 183 of 2017, registered under Sections 341,
323, 325, 307 and 379/34 of the Indian Penal Code.

The allegation of informant Bhim Malakar is that his
elder brother Pawan Malakar has a shop of fruits near Sabji Market in
Bodhgaya. On 21.03.2017 at about 8.30 A.M. he went to the shop of
his elder brother and returned to Gandhi Chowk, then he received
information that some persons assaulting his brother then he went
there and saw that petitioners and one Danish having lathi and stick in
their hand brutally assaulting his elder brother. At that time, Md.
Danish took cash of Rs. 1,50,000/- to the shop of his brother.



Learned counsel for the petitioners submits that while allegation of causing assault by the four persons, but only one injury was found on the person of the brother of the informant, which is simple in nature. Further submission is that petitioners have no criminal antecedent and they have falsely been implicated in this case.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Gaya in connection with Bodhgaya P.S. Case No. 183 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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