

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60097 of 2017

Arising Out of PS.Case No. -176 Year- 2017 Thana -MUFFASIL District- AURANGABAD

- =====
1. Md. Reyaz, Son of late Aziz Mian
 2. Inteyaz @ Inteyaz Mian, Son of late Moharram Mian
 3. Zubair @ Zubair Mian, Son of Nehal Mian
 4. Mozammil Mian, Son of Jalil Mian
 5. Raju Mian, Son of Jalil Mian
 6. Md. Guddu @ Guddu Mian, Son of Mojib Mian
 7. Md. Nanhu @ Nanhu Mian, Son of Mojib Mian
 8. Md. Arif @ Arif Mian, Son of Mujim Mian All Resident of Village-
Biseni, Police Station- Mufassil, District- Auragabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Wasi Ahmad Khan

For the Opposite Party/s : Mr. Sri Rajeev Nayan

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

02/ 12-12-2017

Heard learned counsel for the petitioners

and learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 341, 325, 326, 307, 448, 427, 354, 379 and 504 of the Indian Penal Code.

The prosecution case is that on 07.10.2017 while the informant Dinanath Sao was in his shop, the accused



persons named in the written report, came armed with lathi, danda, rod, sword and pistol, abused the informant and took away articles worth Rs.60,000/- from the shop of the informant.

It is submitted by learned counsel for the petitioners that the accusation is omnibus and general and the occurrence took place during Dussehra festival, when a case on behalf of petitioners' side being Aurangabad Muffasil P.S. Case No. 177 of 2017 was registered with accusation for the offences punishable under Sections 147, 148, 149, 323, 341, 325, 326, 307, 448, 427, 354, 379 and 504 of the Indian Penal Code, in which the informant of the present case was an accused and hence, the present case has been filed as counter blast to the case of petitioners' side. A statement has been made in paragraph 3 of the petition that the petitioners is not having any criminal antecedent.

Considering the nature of accusation, the case lodged by the petitioners' side at earlier point of time and the petitioners having no criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or 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 the like



amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad Muffasil P.S. Case No. 176 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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