

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3517 of 2017

Arising Out of PS.Case No. -77 Year- 2016 Thana -OBRA District- AURANGABAD

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1. Faruque Mian S/o- Late Kabir Mian
 2. Ejaazd @ Ejaz Ahmad S/o- Imam Miyan @ Imamam Hussain
 3. Asghar Hussain @ Asgar Hussain S/o- Imaman Hussain @ Imam Miyan.

All resident of Village- Bel, P.S.- Obra, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Pravesh Nath Tiwari

For the Opposite Party/s : Mr. Sri Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 10-02-2017 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Obra Police Station Case No. 77 of 2016, disclosing offences under Sections 147, 48, 149, 323, 325, 307, 295(A) of the Indian Penal Code.

Accusation is of assault.

Learned Counsel for the petitioners submitted that an altercation had taken place between the petitioners and the informant's side and both the parties have sustained injuries and a case and counter case have been lodged by both the parties. The injuries sustained by the informant's side were found to be



simple in nature. The nature of the allegation in the First Information Report is an exaggerated version. The petitioner has no criminal antecedent, as stated in paragraph 3 of the application. Moreover, 16 co-accused, having more or less similar allegations have already been granted anticipatory bail by a co-ordinate Bench of this Court in Cr. Misc. No. 43568 of 2016.

Considering the facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond 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 Obra Police Station Case No. 77 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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