

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.35250 of 2017**

Arising Out of PS.Case No. -379 Year- 2017 Thana -FORBESGANJ District- ARRARIA

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1. Md. Riyaz, Son of Late Md. Asfaque,  
2. Md. Rajjaque Son of Late Md. Asfaque,  
3. Md. Mustakim Son of Israil,  
4. Most. Sakila W/o Late Md. Asfaque, All are R/o Village- Arraha Ward  
No.5, P.S.- Forbesganj, District- Araria. .... Petitioners

Versus

The State of Bihar .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate  
For the Opposite Party/s : Mr. Sri Yogendra Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN  
SHARMA**

**ORAL ORDER**

2      11-08-2017                      Heard learned counsel for the petitioners and learned  
counsel representing the State.

The petitioners, apprehending their arrest in connection  
with Forbesganj P.S. Case No. 379 of 2017 registered for the  
offences punishable under Sections 147, 341, 323, 325, 307, 379,  
380, 504 and 506 of the Indian Penal Code, seek the privilege of  
pre-arrest bail.

The learned counsel for the petitioners submits that  
against the petitioners there is general and omnibus allegation for  
assaulting and took away cash of Rs. 20,000/- and one Samsung  
mobile and further to snatch one silver chain .

Submission is of false implication and that the  
allegation under Sections 379 and 380 of the Indian Penal Code



are super addition. Specific allegation is against co-accused Iliyas. The sister of the informant, namely, Jahida Khatoon has received simple injury caused by hard and blunt substance and as such, the petitioners deserve sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, considering that Jahida Khatoon has received simple injury caused by hard and blunt substance, as such, the petitioners, in case of their arrest or surrender within four weeks from the date of receipt/production of the copy of this order, shall be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 379 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

**(Jitendra Mohan Sharma, J)**

Vats/-

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