

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35035 of 2017

Arising Out of PS.Case No. -3 Year- 2017 Thana -KANTI THARMAL POWER District-
MUZAFFARPUR

=====

1. Md. Sakim @ Md. Sakil,
2. Md. Noor Mohammad @ Noor Mohammad,
3. Kamruddin @ Md. Kamruddin, All sons of Gulam Rasul @ Rasul Miya,
All resident of Village- Sherna, P.S.- Kanti, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Advocate
For the Opposite Party/s : Mr. Sri Nityanand Tiwary, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 10-08-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners, apprehending their arrest in connection with Kanti P.S. Case No. 03 of 2017 registered for the offences punishable under Sections 379 and 411/34 of the Indian Penal Code, seek the privilege of pre-arrest bail.

Allegedly, one Ainul Miyan was caught hold with incriminating articles and he stated the names of the petitioners and others regarding their involvement also.

Submission is of false implication and that the petitioners were not arrested on the spot nor any incriminating articles were recovered from their house. They have got no concern with the arrested accused in this case. Some day before a



dispute occurred on the village chowk in between brother of these petitioners and arrested accused namely, Ainul Miyan and only due to that annoyance the arrested accused dragged the names of four full brothers. Co-accused namely, Md. Samruddin, the brother of these petitioners has been arrested on the night of 11.01.2017 but nothing incriminating materials has been recovered either from his possession or from his house and, as such, the petitioners also deserve sympathetic consideration.

The learned A.P.P. fairly submits that the names of the petitioners have come in the statement of Ainul Miyan.

In the facts and circumstances as stated above, 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 S.D.J.M., (West) Muzaffarpur in connection with Kanti P.S. Case No. 03 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Jitendra Mohan Sharma, J)

Vats/-

U		T	
---	--	---	--

