

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31796 of 2017

Arising Out of PS.Case No. -61 Year- 2017 Thana -SIRDALA District- NAWADA

=====

1. MD. SARFARAZ @ MD. SARFARAZ AALAM, Son of Gani Mallick
2. Md. Maqsood @ Md. Maqsood Aalam, Son of Shakoor Mallick.
3. Md. Sawood @ Md. Sawood Aalam, Son of Shakoor Mallick, All are
resident of Villlage- Uperdih, P.S. Sirdulla, District- Nawadah.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Sri Amit Kumar Rakesh

=====

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 29-08-2017 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises
out of Sirdalla Police Station Case No. 61 of 2017, disclosing
offences under Sections 147, 148, 149, 341, 323, 436, 379,
354(B), 307, 427 of the Indian Penal Code and later on added
under Section 302 of the Indian Penal Code.

Learned counsel for the petitioners has submitted
that there is general and omnibus allegation against these
petitioners and no specific overt act is attributed to them. In fact,
there is land dispute between the parties and on account of that a
case and counter case has been lodged by both the parties for the



same set of facts. As a matter of fact, only one injury is caused upon the head of the deceased, which is allegedly levelled against co-accused, Md. Javed and no specific case is made out against these petitioners. No any incriminating articles have been recovered from the conscious possession of the petitioners. Hence, the petitioners, who are of clean antecedents, deserve the privilege of anticipatory bail.

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, Nawadah, in connection with Sirdalla Police Station Case No. 61 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

brajesh/-

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

