

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50716 of 2017

Arising Out of PS.Case No. -29 Year- 2017 Thana -BASNAHI District- SAHARSA

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1. Md. Khurshid, son of Md. Idrish.
2. Md. Nawab, son of Md. Nehal.
3. Md. Sabab, son of Md. Nehal.
4. Md. Nehal, son of Md. Idrish.
5. Md. Arman, son of Md. Khurshid.

All are resident of Mahua Bazar, P.S. – Basnahi, District – Saharsa.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Umeshnand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 18-10-2017 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The petitioners, in the present case, are seeking anticipatory bail in connection with Basnahi P.S. Case No. 29 of 2017 for the offences under Sections 147, 148, 149, 341, 323, 324, 307, 436, 379, 50 and 354 of the Indian Penal Code.

Learned counsel for the petitioners submits that there are general allegations of assault against petitioner no. 4, whereas there are allegation of setting the house of the informant at fire against petitioner nos. 1 and 2. There is no allegation either of assault or setting up the house at fire against petitioner nos. 3 & 5.

Learned Additional Public Prosecutor for the



State opposes the prayer for bail of the petitioners, but on perusal of the record, it appears that main assailant who caused grievous injury on the head of the wife of the informant but Md. Jamshed is not the petitioner. Among the petitioners, the allegations of assault are there against petitioner no. 4 and allegation of setting the house at fire is against petitioner no. 1 & 2. No specific allegation is attributed to petitioner no. 3 & 5.

Prayer for anticipatory bail with regard to petitioner nos. 1, 2 & 4 are hereby rejected.

So far as petitioner nos. 3 & 5 are concerned, in the event of their arrest/surrender before the court below within a period of four weeks, let the petitioner nos. 3 & 5 namely, Md. Sabab and Md. Arman, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa, in connection with Basnahi P.S. Case No. 29 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Rajeev/-

(Rajeev Ranjan Prasad, J.)

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