

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52362 of 2018

Arising Out of PS.Case No. -216 Year- 2018 Thana -BARARI District- KATIHAR

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1. Md. Akmal Hussain, S/o Imran Ali,
2. Babar S/o Abdul Mannan,
3. Md. Shariful Haque S/o Razi Manjoor ,
4. Md. Masrur S/o Manawar ,
5. Md. Mustafa S/o Abu Said,
6. Abdul Mannan S/o Md. Zunaf Ali, All are R/o Vill.- Titwari, P.S.- Barari, District- Katihar.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-09-2018 At the very outset, learned counsel for the petitioners has submitted that during pendency of this application, the petitioner No. 2 has already been arrested.

Accordingly, this application with respect to petitioner No. 2 namely, Babar is dismissed as withdrawn.

Heard learned counsel for the rest petitioners and learned APP for the State.

The rest petitioners are apprehending their arrest in a case registered under Sections 147, 341, 323, 324, 325, 307, 354 of the Indian Penal Code.

The prosecution case, in brief, is that while the informant Bibi Jarina with her husband was returning home, in the way, the



FIR named accused persons including the petitioners brutally assaulted her husband. It is also alleged that they tried to outrage modesty of Israt Parveen, Sabina and Rubina.

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the petitioners. There is case and counter case between the parties. The grievous injury is said to have been sustained on non-vital part of the body. Rest of the injuries are simple in nature.

On behalf of the State and the informant, it is submitted that the anticipatory bail application of co-accused have already been rejected by a coordinate bench of this court vide order dated 16-08-2018 passed in Cr. Misc. No. 47522 of 2018.

Considering the fact that the anticipatory bail application of other similarly situated co-accused persons has already been rejected, this Court is not inclined to grant anticipatory bail of the petitioners. Accordingly, prayer for anticipatory bail of the petitioners is rejected.

Anyhow, if the petitioners surrender in the court below and seek regular bail, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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