

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39998 of 2018

Arising Out of PS.Case No. -93 Year- 2016 Thana -BHAWANIPUR District- PURNIA

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1. Md. Arif @ Md. Arif Hussain, Son of Iman,
2. Md. Amrul @ Banty @ Amrul, Son of Iman, Both are resident of
Bhangara, Police Station- Bhawanipur, District- Purnea.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Adv.

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 11-07-2018 Heard both sides.

The petitioners apprehend their arrest in Bhawanipur P.S. Case No. 93/2016 (G.R. No. 1623/16), registered for the offences punishable under Sections 341, 323, 307, 504, 506 and 34 of the Indian Penal Code.

The informant named the petitioners along with other ten accused persons and alleged that petitioner no. 2 Md. Amrul passed sarcastic remarks against the mother of the informant who lost Panchayat election. When the father of the informant went to pacify the dispute, all the accused persons brutally assaulted the informant and his family members.

Learned counsel for petitioners submits that there is counter version being Bhawanipur P.S. Case No. 96/2016 from the side of the petitioners in which many persons got injuries. No



specific allegation of assault is made against the petitioners. Of course, many persons received injuries, but the injuries found on the person of the injured are simple in nature. Save and except one injury on left palm found on the person of Hassimuddin which is opined to be grievous in nature. Omnibus and general allegation is made against the petitioners. Similarly situated accused persons Md. Imam, Maitun Nisha have already been granted anticipatory bail vide order dated 22.09.2017 passed in Cr. Misc. 46643/2017.

Considering the facts aforesaid and the fact that there is omnibus and general allegation of assault, there is counter version and the similarly situated co-accused persons have been granted anticipatory bail, the petitioners above-named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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 Sub-Divisional Judicial Magistrate, Purnea in connection with Bhawanipur P.S. Case No. 93/2016 (G.R. No. 1623/16), subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J)

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