

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51657 of 2018

Arising Out of PS.Case No. -161 Year- 2018 Thana -NATHNAGAR District- BHAGALPUR

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1. Md. Jahangir S/o Late Md. Munir
2. Md. Sonu, S/o Md Jahangir Both resident of Kabirpur Garhiya, P.S. Nathnagar,
District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH

ORAL JUDGMENT

Date: 20-09-2018

Heard learned counsel for the petitioners and learned A.P.P. for
the State.

2. The petitioners apprehend arrest in connection with Nath
Nagar P.S. Case No.161 of 2018 dated 12.03.2018, registered under
Sections 341, 326, 307, 504, 506, 120B of the Indian Penal Code.

3. The allegation against the petitioner no.1 is that he had sent
his son Sonu and another to kill the informant due to past enmity. The
allegation against petitioner no.2 who is son of petitioner no.1 is
specific of inflicting knife injury in the back of the informant.

4. Learned counsel for the petitioners submitted that the
allegation prima facie appears to be false for the reason that at 4.30



P.M. in a stadium, which is empty, on the cry of the informant, people could not have assembled and thus the place of occurrence itself being in doubt, the veracity of the allegation becomes suspect.

5. Learned A.P.P. submitted that there is specific allegation of inflicting knife blow in the back of the informant by the petitioner no.2. However, with regard to petitioner no.1, he did not dispute that there is only allegation that he was behind the crime.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner no.1 be released on bail in the event of his arrest or surrender within six weeks from today on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Nath Nagar P.S. Case No.161 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. Prayer for anticipatory bail of petitioner no. 2 stands rejected.

(Ahsanuddin Amanullah, J)

Sanjeev/-

AFR/NAFR	
CAV DATE	
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