

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57972 of 2018

Arising Out of PS. Case No.-255 Year-2018 Thana- ARARIA District- Araria

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1. Md. Hasib Son of Late Kafiluddin
 2. Md. Mohib Son of Late Kafiluddin
 3. Md. Nayeem Son of Late Kafiluddin
 4. Md. Ahtasham Son of Md. Ashab
 5. Md. Samil Son of Late Niyamat
 6. Md. Israil Son of Md. Solad
 7. Md. Ismail Son of Md. Solad All resident of Village- Safipur,
P.S. & District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana
For the Opposite Party/s : Mr. Sri Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 08-10-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 147, 149, 323, 324, 308, 354 and 506 of the Indian Penal Code.

The prosecution case, in short, is that on account of having land dispute, when the informant objected the accused persons not to construct a tin shed, he was assaulted by them.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the



petitioners. There is a case and counter case between the parties. A free fight is alleged to have taken place in which both parties got injuries. The nature of injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 255/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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