

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.66611 of 2018

Arising Out of PS.Case No. -49 Year- 2018 Thana -MALI District- AURANGABAD

- =====
1. Abdul Gafur, S/o late Fatey Mohamad.
 2. Abdul Satar, S/o late Fatey Mohamad. Both Resident of Village Saharsha, P.S. Mali District- Aurangabad.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioners : Mr. Ratneshwar Prasad, Advocate.

For the Opposite Party : Mr. Jitendra Kumar Singh, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-11-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case for the offence registered under Sections 147, 149, 341, 323, 379, 504 and 307 of the IPC.

The prosecution story, in brief, is that while F.I.R. named accused persons having variously armed were ploughing the land of the informant. On information, police came and took away Abdul Gafur on the Jeep. The informant alongwith his family members went some distance behind the Jeep and when they were returning, on the order of Abdul Sattar, Nazir assaulted with *Sword* on the head of Sarfuddin and Kadir assaulted with



Lathi on the head of informant causing head injury. Md. Sahbaz assaulted with *Lathi* to Salauddin causing head injury. Kadir assaulted with *Lathi* to Md. Uddin and Sahbaz assaulted with pistol on the head of Sarfuddin. Abdul Kadir snatched golden chain of one *Bhar* from the neck of Alaaddin.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. There is case and counter case between the parties. Free fight is alleged to have taken place in course of occurrence. Injury on the side of accused persons has not been explained by the prosecution. The prosecution has not come with clean antecedent.

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

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or 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 the learned C.J.M., Aurangabad



in connection with Mali P.S. Case No. 49/18, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

U.K./-

U		T	
---	--	---	--

(Sudhir Singh, J)

