

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8632 of 2018

Arising Out of PS. Case No.-225 Year-2017 Thana- PHULWARIA District- Gopalganj

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1. Md. Gauri @ Mahammad Gaori, son of Hasnain Mian,
 2. Md. Muchun Son of Late Manager Mian,
 3. Hasnain Mian @ SK. Hasnain, Son of Late Ghajee Mian,
 4. Ensan @ Guddu @ Ehsan, Son of Md. Gauri @ Mahammad Guori,
 5. Shahjahan Khatoon @ Bibi Shahjan, Wife of Md. Gauri @ Mahammad Gaori,
 6. Kusum Tara @ Sukun Tara Khatoon, Daughter of Md. Gauri @ Mahammad Gaori,
 7. Shahina Khatoon, Daughter of Md. Gauri @ Mahammad Gaori,
- All are residents of Village- Pandey Parsa P.S. Phulwarea (Sripur O.P.), District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Javed Aslam
For the Opposite Party/s : Mr. Smt. Asha Kumari

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 03-04-2018 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Fulwaria P.S. Case No. 225 of 2017 registered for the offence punishable under Sections 341, 323, 379, 308, 387, 504 and 506/34 of the Indian Penal Code.

The allegation is regarding the accused persons including the petitioners herein having assaulted the informant and others resulting in injuries to them.



The learned counsel for the petitioners submits that there is general and omnibus allegation as against the petitioners herein and the case diary would bear it out that there is no injury report on record. It is submitted that the present case arises out of case and counter case and the case filed by the accused side is prior in time. It is further submitted that admittedly, there is a land dispute amongst the parties.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, XIII, Gopalganj in connection with Fulwaria P.S. Case No. 225 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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