

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37936 of 2018

Arising Out of PS.Case No. -53 Year- 2018 Thana -HABIBPUR District- BHAGALPUR

- =====
1. Bibi Soni @ Soni, W/o Md. Feku,
 2. Md. Ashif S/o Md. Chand,
 3. Md. Chand S/o Md. Halim, All R/o Imampur, P.S.- Habibpur, District- Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amrendra Kumar Jha

For the Opposite Party/s : Mr. Sri Dilip Kumar

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 05-07-2018

Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 341, 506 of the Indian Penal Code and Sections 25(1-B)a/26 of the Arms Act.

The prosecution case as per the written report of Md. Arshad dated 15.03.2018 submitted to the Station House Officer, Habibpur is to the effect that on the same day at 9.00 A.M. on the call of Bibi Soni the wife of Md. Feku, Md. Asif and his father Md. Chand (the petitioners) came along with



others and held the informant on gun point. On protest being made Md. Asif and his father Md. Chand escaped from the scene, during the course of which pistol of Md. Asif fell down on the ground. It is further alleged that the petitioner Bibi Soni in connivance with other accused persons wanted to encroach the public road.

It is submitted by learned counsel for the petitioners that none received any injury and in the background of land dispute, the accusation has been levelled. A statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP, however, submits that the petitioners are named in the FIR.

Considering the accusation being omnibus and general and no injury being caused to anyone, coupled with the statement being made in paragraph 3 that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the



satisfaction of learned Additional Chief Judicial Magistrate 12th,
Bhagalpur in connection with Habibpur P.S. Case No. 53 of 2018
subject to the conditions as laid down under Section 438(2) of the
Cr.P.C.

(Dinesh Kumar Singh, J)

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