

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40233 of 2018

Arising Out of PS.Case No. -409 Year- 2015 Thana -KHAGARIA District- KHAGARIA

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1. Ambiya Khatoon W/o Late Md. Makki
2. Praveen Khatoon W/o Abadi
3. Champua
4. Saddam Both 3 & 4 sons of Late Md. Makki
5. Abadi S/o Furtu All Resident of Village- Jalkoura (Khagaria), P.S.- Gangour, District- Khagaria.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Md. Arif

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-07-2018 Heard learned counsel for the petitioners.

Petitioners apprehend their arrest in connection with Khagaria (Gangaur) P.S.Case No. 409 of 2015 registered for the offences punishable under Sections 341, 323, 379 and 307/34 of the Indian Penal Code.

Allegation against petitioner No.1 is of assault by sword, causing injury and against other petitioners there is allegation of assault.

Submission of learned counsel for the petitioners is that in this case charge sheet has been submitted under Sections 341, 323 and 504/34 IPC. However, learned Magistrate has taken



cognizance under Section 307 IPC and during pendency of investigation petitioners were on police bail and they have not misused the same.

Heard learned APP also.

Having heard both sides and in the facts and circumstances, let the petitioners, named above, surrender and make prayer for regular bail before the court below and the same shall be considered on the basis of submission that petitioners were on police bail and they have not misused the same and after considering the same learned court below will pass an appropriate order, if possible, on the same day.

With the above observation, this application is disposed of.

(Vinod Kumar Sinha, J)

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