

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63744 of 2018

Arising Out of PS. Case No.-83 Year-2018 Thana- JHANJHARPUR District- Madhubani

1. Md. Jilani
2. Nek Mohammad @ Sonu S/o Md. Asique Q Md. Anwarul Haque
3. Osama @ Md. Osoma S/o Md. Quddus
4. Md. Quddus @ Md. Kudus S/o Late Md. Ali Hasan All R/o Village-
Piparauliya, P.S. Jhanjharpur (Arariya Sangram), Distt.-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar
For the Opposite Party/s : Mr. Vinod Shankar Modi

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-12-2018 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, 148, 149, 341, 323, 324, 307 and 302 of the Indian Penal Code.

The prosecution case, in short, is that while the husband of the informant at home, the accused persons, variously armed, came to his house and assaulted him due to which he sustained injury. The persons came in rescue were also assaulted. Later, the husband of the informant succumbed to the injury.

It has been submitted on behalf of the petitioners that



there is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. General and omnibus allegation has been made against the petitioners. No specific injury has been attributed to the petitioners. The alleged occurrence is said to have taken place due to flow of drainage of water.

On behalf of the State and the informant, it is submitted that the petitioners are named in the F.I.R. They have participated in assaulting the deceased.

Considering the same, I am not inclined to grant anticipatory bail to the petitioners. Prayer is rejected. However, if the petitioners surrender in the Court below and pray for bail, the same shall be considered on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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