

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.66092 of 2018

Arising Out of PS.Case No. -66 Year- 2018 Thana -GOPALPUR District- GOPALGANJ

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1. Mansoor Alam @ Mansoor Ahmad, Son of late Manzoor Alam.
 2. Khursheed Alam @ Tinku, Son of Mansoor Alam @ Manzoor Alam.
Both Resident of Village and P.S. Gopalpur, District- Gopalganj.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Md. Anisur Rahman, Advocate.

For the Opposite Party : Mr. Rajeev Nayan, A.P.P.

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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 447, 448, 341, 323, 379,
504/34, 307, 354 of the IPC and 25(1-b)a, 35 and 37(b) of the
Arms Act.

The prosecution story, in brief, is that on the date of
alleged occurrence, the informant was sitting in his room, in the
meantime, Shakil Ahmad @ Jhunna entered into his room and
took out him and his wife out side of the room and started abusing
and ordered to kill the informant. F.I.R. named accused persons
also assaulted him. When his family members came to rescue him



they were also assaulted by accused persons causing injury. Co-accused Asif snatched golden ear-ring and neckless from the neck of Tabassum Ara and petitioner no. 1 snatched ear-ring and *Mangal Sutra* from his *Bhabhi* Nahid Parween. Co-accused Nazir Ahmad assaulted the informant and his mother with the *Butt* of his gun causing injury. Thereafter, they fled away. The gun fell down from the hand of co-accused Nazir Ahmad. The informant handed over the same to the police.

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. There is title suit also pending between the parties.

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., Gopalganj in connection with Gopalganj P.S. Case No. 66/2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

