

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52656 of 2018

Arising Out of PS.Case No. -145 Year- 2018 Thana -JOKIHAT District- ARRARIA

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1. Md. Haseeb, Son of Shukal, null
 2. Md. Ahetasamul Haque @ Tatsam @ Ahetasam, Son of Md. Haseeb,
 3. M. Tarique Anwar @ Tarique Anwar @ Md. Tarique Anwar, Son of Farooque,
 4. Ranila @ Ranjila, Wife of Md. Wahab @ Wahab,
 5. Md. Nasimuddin @ Md. Nasim, Son of Late Jakir.
 6. Md. Arif, Son of Late Jakir.
 7. Muddin @ Munddin, Son of Late Jakir.
 8. Jamli @ Jamil, Son of Late Tafazul.
 9. Nazim, Son of Late Nasir.
 10. Zafar, Son of Nazim.
 11. Sahena Khatoon @ Sahina Khatoon, @ Sahina Praveen @ Sahena Praveen, Wife of Farooque.
 12. Md. Wahab @ Wahab @ Waham, Son of Halil,
 13. Anjari @ Anjari Khatoon, Wife of Nazeem.
 14. Bibi Praveen @ Praveen Jahan, Wife of Arif,
 15. Dar Khasha, Wife of Azeem,
 16. Hena Nasim, Wife of Nasim, All resident of Village- Matiyari, P.S.- Jokihat, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anita Kumari

For the Opposite Party/s : Mr. Shyam Bihari Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-10-2018 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, 150, 323, 307, 353, 504, 379 and 511 of the Indian Penal Code.

The prosecution case, in brief, is that when after seizing Rs.



6,96,500/- from the house of Farooque, the police party and Magistrate were returning, near the PDS shop of Farooque, a crowd of 200 persons, on instigation of Habib, started to assault them and also tried to snatch money.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been made accused in this case due to mistake of fact. Altogether 17 persons are named in the FIR including the petitioners alongwith 200 unknown persons. No specific overt act has been attributed against the petitioners. General and omnibus allegation has been made against the petitioners. None is said to have been injured in course of occurrence. Hence, no offence u/S 307 of the Indian Penal Code is made out.;

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/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 learned Chief Judicial



Magistrate, Araria in connection with Jokihat P.S. Case No. 145 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

A.K.V./-

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