

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52268 of 2018

Arising Out of PS.Case No. -197 Year- 2018 Thana -ARARIA District- ARRARIA

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1. AFROZ ALAM @ MD. AFROZ ALAM, age about 28 Years, S/o Late Samim Alam, R/o Adarsh Nagar, Ward No. 16, P.S. & District - Araria.
 2. Mostt. Akbari Khatoon, aged about 70 Years, W/o Late Samim Alam, R/o Adarsh Nagar, Ward No. 16, P.S. - & District - Araria.
 3. Afsar Jahan @ Afsar, aged about 30 Years, W/o Reyaz Alam @ Md. Rajji Alam, R/o Adarsh Nagar, ward No. 16, P.S. & District - Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeet Kumar

For the Opposite Party/s : Mr. Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 11-10-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 325, 337, 307, 427, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

For land dispute, between the parties, allegation is that the petitioners attacked when the informant was getting forward the construction work of their residential premises. Specific allegation is against co-accused Rajji Alam of commission of injury on the head.

It has been informed that Rajji Alam has already been refused anticipatory bail by a Coordinate Bench of this Court.



Allegation against the petitioners is of commission of injury on non-vital part of the body. Moreover, some of the allegations are not corroborated by medical evidence.

Learned counsel for the informant opposed the prayer for anticipatory bail on the ground that the petitioners have got criminal antecedent.

Considering the nature of allegation and background of allegation, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Araria Police Station Case No. 197 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Kumar, J)

Kundan/Rajan

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