

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56996 of 2018

Arising Out of PS. Case No.-254 Year-2017 Thana- LAKHISARAI District- Lakhisarai

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1. Md. Shamsher @ Md. Shamser, S/o Md. Usman,
 2. Md. Zamshed @ Md. Jamshed S/o Md. Usman, Both are Residents of Vill.- Balgudar, P.S.- Lakhisarai, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Md. Irshad, Advocate
For the State	:	Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 29-10-2018 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the informant.

The petitioners are apprehending their arrest in a case registered under Sections 448, 342, 323, 325, 307, 427, 380 of the Indian Penal Code.

Allegation is that the accused persons including the petitioners assaulted the informant, his Mausi and mousera brother by lathi and iron rod, due to which they sustained injuries.

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 falsely been implicated in the



present case. The nature of injury is said to be simple. Hence, no offence under Section 307 of the I.P.C. is made out. Rest of the offences are triable by the Magistrate. Other co-accused have been granted anticipatory bail vide Annexure 2 to the present application.

On behalf of the State and learned counsel for the informant, 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/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) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Lakhisarai P.S. case No.254 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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