

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1871 of 2018

Arising Out of PS. Case No.-124 Year-2017 Thana- SIKTA District- West Champaran

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1. Nasim Akhatar @ Nasim Ahmad
 2. Kalim Akhatar
 3. Alim Akhatar

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. SMT. ASHA KUMARI

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-01-2018 Heard learned counsel for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under sections 341,323,324 and 308/34 of the IPC.

The prosecution case as per the written report of the informant Musahid Iqbal is to the effect that in the background of a partition dispute, all the five accused persons including the petitioners armed with knife and sword came and petitioner nos. 1 and 2 caught hold of the informant from behind and petitioner no. 3 assaulted with iron rod on the head of the informant, petitioner no. 2 stabbed with knife, as a result the informant fell down and the accused persons picked out Rupees Eleven Thousand



Six hundred from the pocket of the informant.

It is submitted by learned counsel for the petitioners that the petitioners are agnates of the informant and there is counter version of the occurrence being Sikta P.S. Case No. 125 of 2017 with accusation under sections 341,323,325,379 and 308/34 of the IPC against the informant side by the mother of petitioner nos. 1 and 3. The informant has received two lacerated injuries, which are simple in nature, while the other injured have also received simple injury. The petitioner no. 2 received grievous injury. Statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that there is specific accusation against the petitioners.

Considering the fact that the accusation is not corroborated by the medical opinion and the statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM –



III, Bettiah, in connection with Sikta P.S. Case No. 124 of
2017, subject to the conditions laid down in Section 438(2)
of the Cr.P.C.

(Dinesh Kumar Singh, J)

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