

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48109 of 2018

Arising Out of PS. Case No.-247 Year-2018 Thana- KUDRA District- Bhabhua (Kaimur)

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1. Mukhtar Sah Son of Ramjan Sah @ Sai.
 2. Mumtaz Sah Son of Ramjan Sah @ Sai Both resident of Village-Parshthua, P.S. Kochas, District Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar

For the Opposite Party/s : Mr. Sri Rajesh Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 17-09-2018 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek Anticipatory bail in connection with Kudra P.S. Case No. 247 of 2018 registered under Sections 354, 341, 323, 325, 307, 379, 504, 506 of the Indian Penal Code.

Allegation against the petitioners is of abusing and assaulting the informant and his wife and also snatched a golden chain from her neck and took away Rs. 35,000/-.

It has been submitted on behalf of the petitioners that petitioners are innocent and have been falsely implicated in this case. It has been further submitted that the specific allegation creating disturbance is on co-accused Akbar Miyan. Petitioners



are not even properly named in the FIR. It has been further submitted that the allegation of assaulting and causing injury is general and omnibus in the nature and nothing specifically alleged as against these petitioners. There was case and counter case. It has been further submitted that co-accused Akbar Miyan and Imityaz Miyan were granted bail as contained in Annexure-3. Petitioners have no criminal antecedent.

Considering the facts and circumstances of the case, prayer of Anticipatory bail is allowed and petitioners named above in the event of arrest or surrender before the court below within four weeks from today, the petitioners are directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M. 2nd, Kaimur at Bhabhua, in connection with Kudra P.S. Case No. 247 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(S. Kumar, J)

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