

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68911 of 2018

Arising Out of PS. Case No.-342 Year-2016 Thana- JOKIHAT District- Araria

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1. Md. Aslam,
 2. Md. Mumtaz,
 3. Md. Waris, All S/o Late Md. Abdul Rahim,
 4. Md. Salauddin @ Md. Salahuddin, S/o Late Md. Gulam Rasul,
All R/o Village- Karnhamna, P.S.- Jokihat, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh
For the Opposite Party/s : Dr. Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-12-2018 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 324, 307, 506, 34 of the Indian Penal Code.

The prosecution case, in brief, is that Md. Shahabuddin and his men were cutting trees from the land of informant, for which, this case was lodged. The accused persons were putting pressure to withdraw the case and in consequence thereof, the accused persons also came there with deadly weapons and informant and his brother were assaulted.

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case.



General and omnibus allegation has been made against the petitioners. No specific overt act has been attributed to the petitioners. There is case and counter case between the parties. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands.

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. 342 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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