

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62941 of 2017

Arising Out of PS.Case No. -86 Year- 2017 Thana -KASBA District- PURNIA

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1. Md. Hanif Son of late Noor Mohammad
2. Md. Saddam Hussain @ Md. Saddam Son of Md. Hanif Both are
Resident of Village- Bhamra, P.S. Kasba, District- Purnea.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Md. Helal Ahmad

For the Opposite Party/s : Mr. Sri Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 11-01-2018 Heard the learned counsel for the petitioners and
the learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Kasba PS case no. 86 of 2017 registered for the
offences punishable under Sections 147, 149, 341, 323, 307, 379,
506 of Indian Penal Code.

The allegation of the prosecution is regarding the
accused persons assaulting the informant and his daughter.

The learned counsel for the petitioners submits that
the present case arises out of case and counter case and infact, the
petitioners had filed a case bearing Kasba PS case no. 83 of 2017
from which, it is apparent that the petitioners have also been
grievously injured after being assaulted by the informant side. It is



further submitted that the petitioner no. 2 has a clean antecedent while petitioner no. 1 is an accused in one other case, in which he is on bail.

Having regard to the facts and circumstances of the case, more particularly, the fact that both sides have filed cases against each other and both the parties have got injuries, I deem it fit and appropriate to enlarge the petitioners on anticipatory bail.

Accordingly, the abovenamed petitioners, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Purnea in connection with Kasba PS case no. 86 of 2017 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J.)

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