

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57913 of 2018

Arising Out of PS. Case No.-306 Year-2017 Thana- SHAHKUND District- Bhagalpur

1. Hasin Akhtar son of Abu Himayu
2. Sahjada @ Sahjada Alam son of Abu Himayu Both are resident of Village - Samastipur, P.S. Shahikund, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Nagendra Kumar Singh, Advocate
For the State	:	Smt. Rita Verma, APP
For the informant	:	Mr. Md. Anisur Rahman, Advocate
		Mr. Md. Imteyaz Hussain, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 08-10-2018 Counsel for the petitioners seeks permission to withdraw the present application on behalf of petitioner No.1, as the petitioner No.1 has been taken into judicial custody.

Permission is accorded.

The application on behalf of petitioner No.1 is dismissed as withdrawn.

Heard learned counsel for the petitioner No.2 and learned APP for the State.

The petitioner No.2 is apprehending his arrest in a case registered under Sections 341, 323, 342, 353, 307, 379, 427, 504, 506/34 of the Indian Penal Code.

The prosecution case, in short, is that the accused persons including the petitioner assaulted the informant, due to which he



sustained injuries.

It has been submitted on behalf of the petitioner No.2 that the petitioner No.2 has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner No.2. The petitioner No.2 has falsely been implicated in the present case due to political reasons. The nature of injury is said to be simple. Hence, no offence under Section 307 of the I.P.C. is made out.

On behalf of the State and learned counsel for the informant, it is submitted that the petitioner No.2 is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner No.2, 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 S.D.J.M., Bhagalpur in connection with Shahkund P.S. case No.306 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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