

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.60351 of 2017

Arising Out of PS.Case No. -69 Year- 2017 Thana -TIYAR District- BHOJPUR

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1. Md. Muslim, S/o Late Shamsuddin,
2. Md. Faruque @ Md. Faruk
3. Md. Chhotu Both Sons of Nasruddin,
4. Md. Manu S/o Md. Ilyas,
5. Md. Munan @ Md. Munam S/o Md. Muslim,
6. Md. Kudal @ Konal S/o Md. Kalam, All R/o Village- Aaraila, P.S.-
Tiyar, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Md. Naushad, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 05-01-2018 Heard the learned counsel for the petitioners and the

learned APP for the State.

This is an application for grant of anticipatory bail in connection with Tiyar P.S. Case No. 69 of 2017 registered for the offence punishable under Sections 147, 148, 149, 341, 323, 325 and 307 of the Indian Penal Code.

The case of the prosecution is that when the informant was returning back to his paddy field and had reached near dalan of Md. Muslim then all the accused persons attacked him with an intention to murder him.

It is submitted by the learned counsel for the petitioners that the petitioner no. 1 herein had earlier filed a case bearing Tiyar P.S. Case No. 27 of 2017 dated 18.05.2017 against the informant of this case and others on various allegations and on



account of the said case the present case has been filed as a counter blast. It is further submitted that the petitioners have a clean antecedent and there is general and omnibus allegation of assault and as far as the petitioners are concerned, no specific allegation of any overt act has been levelled.

Considering the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioners above named, 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, on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ara in connection with Tiyyar P.S. Case No. 69 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

It is directed that the petitioners would cooperate and join the investigation and in case the Prosecution finds that the petitioners are not cooperating in the investigation, they would be at liberty to move this Court for cancellation of bail of the petitioners.

(Mohit Kumar Shah, J)

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