

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35622 of 2018

Arising Out of PS.Case No. -62 Year- 2018 Thana -MANIHARI District- MUZAFFARPUR

=====

1. Md. Mustaque, S/o Md. Muslim,
2. Md. Muslim, Son of Md. Fakhruddin, Both resident of Village-
Chakbhikhi, P.S.- Maniyari, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Arun Kumar Bhagat

For the Opposite Party/s : Mr. Sri Abhay Kumar Roy

=====

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 29-06-2018 Heard learned counsel for the petitioners, learned

Additional Public Prosecutor for the State and learned counsel for
the informant.

The petitioners seek pre-arrest bail in connection with
Maniyari P. S. Case No. 62 of 2018 registered under Sections
341,323,324,307,379,385,504 and 506 read with 34 of the Indian
Penal Code.

It is submitted that from a plain reading of the F.I.R,
it would be evident that the petitioner no. 1 is said to be the order
giver and there is no allegation against the petitioner no. 2, who is
aged about 80 years. The allegation of assault has been made
against co-accused Md. Akabar. The further contention of the



petitioner is that the instant case has been instituted in retaliation to the case filed by petitioner no. 1 vide Manihari P.S Case No. 68 of 2018.

Learned Additional Public Prosecutor for the State and learned counsel for the informant opposed the prayer for grant of pre-arrest bail to the petitioners. However, they admitted that there is case and counter case and as far as the petitioners are concerned, they are not the assailants.

Considering the submission made on behalf of the parties, in the event of arrest or surrender before the court below within six weeks from today, the petitioners named above are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Sri Nayan Kumar, Judicial Magistrate, Muzaffarpur in connection with Maniyari P. S. Case No. 62 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Kanchan/-

U		T	
---	--	---	--

