

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72661 of 2018

Arising Out of PS. Case No.-554 Year-2018 Thana- KISHANGANJ District- Kishanganj

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1. Badrudoza Son of Late Abdul Samad, Resident of Tubanagar,
 2. Mehboob Alam, Son of Late Abdul Samad,
 3. Abu Sama @ Abusam, Son of Mahtabuddin @ Aahtabuddin,
 4. Jainal, Son of Mahtabuddin @ Aahtabuddin,
 5. Murtaja, Son of Aahtabuddin @ Mahtabuddin, All are resident of Porabari, Police Station- Kishanganj, District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar

For the Opposite Party/s : Mr. Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-12-2018 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, 379, 307/34 of the Indian Penal Code.

Allegation is that the accused persons including the petitioners assaulted the informant by means of fists and slaps, due to which he sustained injuries.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the



present case. The injury report is part of the F.I.R. There is no grievous injury caused to the victim. Hence, no offence under Section 307 of the I.P.C. is made out. No deadly weapon is alleged to have been used in course of occurrence except for allegation of fists and slaps.

On behalf of the State, it is submitted that the petitioners are named in the 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) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in connection with Kishanganj P.S. case No.554 of 2018 (G.R. No.1669 of 2018), 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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