

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76885 of 2018

Arising Out of PS. Case No.-226 Year-2018 Thana- BAKHTIARPUR District- Saharsa

1. Md. Lalo, son of Late Majlum @ Md. Majbum
2. Md. Samsul, son of Late Md. Majlum @ Md. Majlum
both resident of village Saraunja, P.S.- Bakhatiarpur, District-Saharsa.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra
For the Opposite Party/s : Mr. Nand Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-12-2018 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, 324, 307, 379, 504, 506 and 34 of the Indian Penal Code.

The prosecution case, in short, is that while the informant was returning home, the accused persons attacked on him and assaulted him due to which he sustained injury.

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 petitioner has falsely been implicated in the present case. From the order of the Sessions Court, it is apparent



that the nature of injury is said to be simple. Hence, no offence under Section 307 IPC is made out.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

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) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa in connection with Bakhatiarpur (Balwahat O.P.) P.S. Case No. 226 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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