

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 60157 of 2018

Arising Out of PS. Case No.-102 Year-2017 Thana- Bounsi District- Araria

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1. Md. Aiyub @ Shukhanu, S/o Md. Tamiruddin @ Tetar @ Tetar Mian,
 2. Md. Muntasir @ Mantsir S/o Md. Tamiruddin @ Tetar @ Teter Mian,
 3. Md. Samsad @ Samsad S/o Mantasir ,
 4. Md. Ekram @ Ekram S/o Mantasir,
 5. Md. Ehsan @ Ehsan S/o Md. Rizuan,
 6. Md. Rizuan @ Rizwan S/o Late Dhulam Rasul,
 7. Md. Zubrel @ Zubrail S/o Md. Razzaque
- All Residents of Village - Gunwanti, Ward No. 6, P.S.- Bounsi ,
District- Araria.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Anil Pd. Singh Mr. Abhijeet Gautam
For the Opposite Party/s :		None

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 28-09-2018 Heard Sri Anil Prasad Singh, learned counsel assisted by Sri Abhijeet Gautam, learned counsel for petitioners. None appeared on behalf of State.

Seven petitioners, apprehending their arrest in Bounsi P.S. Case No. 102 of 2017 registered for offence under Sections 147, 148, 341, 323, 379, 354(B), 307, 504 of the Indian Penal Code, have prayed for grant of bail in the event of their arrest or surrender.

Learned counsel for the petitioners, at the very outset, has drawn my attention to Annexure – 2 to the petition i.e. photocopy of F.I.R. in Bounsi P.S. Case No. 101 of 2017, in which, petitioner no. 1 is the informant and informant of the



present case (i.e. Bounsi P.S. Case No. 102 of 2017) is accused no. 4. It has been argued that in a trivial dispute, the informant side were aggressor and when the F.I.R. was lodged from the petitioners' side, as a counter blast, the present case has been instituted against the petitioners on completely false accusation.

Be that as it may, considering the fact that there is case and counter case in between the parties and first case was initiated from the petitioners' side itself, there is no reason to refuse the prayer for anticipatory bail of petitioners.

Accordingly, in the event of arrest or surrender within a period of six weeks from today, let the aforesaid seven petitioners namely 1. Md. Aiyub @ Shukhanu, 2. Md. Muntasir @ Mantsir, 3. Md. Samsad @ Samad, 4. Md. Ekram @ Ekram, 5. Md. Ehsan @ Ehsan, 6. Md. Rizuan @ Rizwan and 7. Md. Zubrel @ Zubrail be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. VI, Araria in connection with Bounsi P.S. Case No. 102 of 2017, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

(Rakesh Kumar, J.)

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