

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.66532 of 2018

Arising Out of PS.Case No. -270 Year- 2017 Thana -JOKIHAT District- ARRARIA

- =====
- 1. GUDDU @ MD. TANJIL @ TANJIL, Son of Taiyab.
 - 2. Laddu @ Abu Kalam, Son of Jawed. Both Resident of Village- Masuria, P.S. Mahalgaon, District- Araria.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Gopal Kumar Jha, Advocate.
For the Opposite Party : Mr. Sanjay Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-11-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in a case
for the offence registered under Sections 323, 324, 341, 307,
354(B), 506 and 504/34 of the IPC.

The prosecution story, in brief, is that on 05.08.2017
at 8.00 P.M. the informant at her house, in the meantime, her
neighbour co-accused Javed call a private *Electric Mistry* and cut
the current supply of her house for which she asked him upon that
co-accused Javed started abusing her and thereafter, co-accused
Manowar and Javed after wrapping scarf around her neck started
pulling her due to that she fell down and the petitioner and other
co-accused persons started assaulting her with legs and they also
tore her clothes.



It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. No deadly weapon is said to have been used in course of occurrence. Assault is by way of fists and slaps. No injury is on record to suggest that an offence under Section 307 of the IPC is made out. Rests of the offences are triable by the Magistrate.

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 or 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 the learned C.J.M., Araria in connection with Jokihat (Mahalgaon) P.S. Case No. 270 of 2017 (G.R. No. 2705 of 2017), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)