

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61492 of 2018

Arising Out of PS. Case No.-440 Year-2018 Thana- SAHARSA District- Saharsa

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1. Md. Javed @ Md. Javed Alam, Son of Hasim @ Md. Meer Hasim,
 2. Md. Ahmad @ Meer Ahmad, Ali Son of Mir Shamim Ali all are Resident of Saharsa Basti, Ward No. 38, Police Station and District Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Maharaj, Adv.

For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-12-2018 Heard learned Counseld for the petitioners and learned APP for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 341,379,504,506,34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case got initiated on the basis of written report dated 13.04.2018 submitted by Md. Owesh Karni to the Station House Officer, Saharsa Police Station is to the effect that on 10.04.2018 at 10.00 P.M., all the FIR named accused persons including, two unknown persons came at the office of the informant and on the order of co-accused Soeb, both the petitioners above-named resorted to fire on the office structure of the informant and threatened not to attend Case No.214/2018



which was lodged by the informant against the petitioners. They also threatened to withdraw the case otherwise the cost incurred over the proceeding of cases will be realized from the informant.

It is submitted by learned counsel for the petitioners that the informant is brother-in-law of petitioner nos. 1 and 2 and earlier also several cases with similar accusation have been lodged against the petitioners by the informant and in one such case, the petitioner no.1 has been granted bail by a co-ordinate Bench of this Court vide Criminal Miscellaneous No.60715 of 2018. It is further submitted that though the petitioners have criminal antecedent, but except two cases, all the other cases has been lodged by the informant, wherein the petitioners are on bail, but statement to that effect has not been made in the petition.

It is submitted by learned APP for the State that there is specific accusation against the petitioners.

Considering the aforesaid facts and admittedly no injury was caused to anyone in the said occurrence, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the



satisfaction of the learned CJM, Saharsa, in connection with
Saharsa Sadar P.S. Case No.440 of 2018, subject to the
conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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