

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15200 of 2019

Arising Out of PS. Case No.-99 Year-2018 Thana- BASOPATTI District- Madhubani

1. Md. Wakil @ Sutta, Son of Md. Mahid, Resident of Village-Balkatwa, P.S-Basopatti, District-Madhubani.
2. Md. Naem Son of Md. Mahid, Resident of Village-Balkatwa, P.S-Basopatti, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 12-03-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 302, 120(B) and 34 of the Indian Penal Code.

The prosecution case, in short, is that while the brother of the informant along with villagers were protesting, the accused persons assaulted the brother of the informant causing his death.

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. Specific allegation of assault is alleged against co-



accused Md. Saddam who assaulted on the head of the deceased. General and omnibus allegation has been made against the petitioners and others. There is only one injury on the head of the deceased. Except for that, there is no other injury on the body/head of the deceased. Hence, the allegation in respect of assault by the petitioner and other co-accuseds are falsified. There is no multiple injuries on the body of the deceased.

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) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-V, Madhubani in connection with Basopatti P.S. Case No. 99/18, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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