IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30555 of 2019

Arising Out of PS. Case No.-49 Year-2017 Thana- SHRI NAGAR District- Madhepura

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1. MD. ZAFIRUDDIN Son of Late Akhiyas Resident of Village - Puraini Goath, Ward No.- 09, P.S.- Srinagar, District - Madhepura
2. Md. Kamrul @ Kamrul Son of Late Akhiyas Resident of Village - Puraini Goath, Ward No.- 09, P.S.- Srinagar, District - Madhepura
3. Md. Zamir Uddin Son of Late Akhiyas Resident of Village - Puraini Goath, Ward No.- 09, P.S.- Srinagar, District - Madhepura
4. Md. Mahruddin Son of Md. Akhiyah @ Sikandar Resident of Village - Puraini Goath, Ward No.- 09, P.S.- Srinagar, District - Madhepura
5. Md. Sarhul Son of Md. Hafir Resident of Village - Puraini Goath, Ward No.- 09, P.S.- Srinagar, District - Madhepura
6. Md. Babul @ Babul Son of Md. Jamsher Resident of Village - Puraini Goath, Ward No.- 09, P.S.- Srinagar, District - Madhepura
7. Md. Chunnu @ Md. Chunna Son of Md. Mahruddin Resident of Village - Puraini Goath, Ward No.- 09, P.S.- Srinagar, District - Madhepura
8. Md. Munna Son of Md. Mahruddin Resident of Village - Puraini Goath, Ward No.- 09, P.S.- Srinagar, District - Madhepura
9. Md. Abjam @ Md. Aftab Son of Md. Mahruddin Resident of Village - Puraini Goath, Ward No.- 09, P.S.- Srinagar, District - Madhepura
10. Md. Jamsher @ Md. Jamshed Son of Md. Nizamuddin Resident of Village - Puraini Goath, Ward No.- 09, P.S.- Srinagar, District - Madhepura
11. Md. Naseem Son of Md. Basil Resident of Village - Puraini Goath, Ward No.- 09, P.S.- Srinagar, District - Madhepura
12. Md. Mannan Son of Md. Nizamuddin Resident of Village - Puraini Goath, Ward No.- 09, P.S.- Srinagar, District - Madhepura

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Shyameshwar Kumar Singh
For the Opposite Party/s : Mr. Awadhesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 08-05-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

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This application for anticipatory bail, arises out of Srinagar Police Station Case No. 49 of 2017, disclosing offences punishable under Sections 447, 341, 323, 324, 307, 504 and 365/34 of the Indian Penal Code.

The previous animosity between the parties, is apparent from the First Information Report. Allegedly, the petitioner no. 1 was hurling abuses, which was objected to by the informant- Bibi Misrun, whereafter the occurrence took place. Allegedly, the accused persons assaulted the informant and her daughter-in-law variously. Other members of the informant's family were also allegedly assaulted.

Learned counsel, appearing on behalf of the petitioners, has submitted that prior to lodging of the present First Information Report, Srinagar P.S. Case No. 39 of 2017 was lodged by the petitioner no. 3 on 01.04.2017, in which family members of the informant of the present case are accused.

Considering the facts and circumstances, this application is allowed.

Let the petitioners, above-named, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each, with two sureties of the like amount each to the

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satisfaction of the learned Chief Judicial Magistrate, Madhepura in connection with Srinagar Police Station Case No. 49 of 2017, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

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