

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33724 of 2019

Arising Out of PS. Case No.-324 Year-2017 Thana- PALASI District- Araria

1. MD. MUKHTAR Son of Md. Nazam Resident of Village- Kokarwa, Police Station- Palasi, District- Araria.
2. Md. Sarwesh Son of Late Bakrid Resident of Village- Kokarwa, Police Station- Palasi, District- Araria.
3. Md. Jahangir Son of Alauddin Resident of Village- Kokarwa, Police Station- Palasi, District- Araria.
4. Md. Sabir Son of Alauddin Resident of Village- Kokarwa, Police Station- Palasi, District- Araria.
5. Md. Zahid Son of Md. Ayas Resident of Village- Kokarwa, Police Station- Palasi, District- Araria.
6. Md. Rafat son of Israil Resident of Village- Kokarwa, Police Station- Palasi, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anamul Haque

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA

ORAL ORDER

2 23-05-2019 Heard learned counsel for the petitioners and learned
counsel for the State.



The petitioners are apprehending their arrest in connection with Palasi P.S. Case No. 324 of 2017 for the offence registered under Sections 341, 323, 325, 354(B), 307, 379 and 504/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that though the petitioners have been named in the first information report but there is no act attributed to these petitioners and the main allegation is against Md. Mustaque and Md. Sohail and not against these petitioners. It is further submitted that there is case and counter case between the parties and after investigation, it was found that they were not involved in the altercation and accordingly, charge sheet was submitted exonerating the present petitioners. However, learned Magistrate differed with the police report and took cognizance against the petitioners as well. As such, the petitioners may be extended the privilege of pre-arrest bail.

Considering the aforesaid facts and circumstances of the case and the nature of allegation, let the petitioners, above named, in the event of their arrest/surrender before the learned Court below within a period of four 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 Sri. Mithlesh Kumar, ACJM,
Vith, Araria in connection with Palasi P.S. Case No. 324 of
2017, subject to the conditions as laid down under Section
438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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