

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33083 of 2019

Arising Out of PS. Case No.-151 Year-2018 Thana- GAMAHAIRIYA District- Madhepura

Md. Irphan S/o Late Majnum @ Majloom Mian, R/o village- Chandanpatti,
P.S.- Gamhariya, District- Madhepura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh

For the Opposite Party/s : Mr.Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 20-05-2019 Heard both sides.

The petitioner apprehends his arrest in Gamhariya P.S.
Case No.151 of 2018 registered under Sections 307, 436 and
other minor sections of the Indian Penal Code.

The informant named 12 persons including the
petitioner Md. Irphan and alleged that Md. Kadir @ Kadil
assaulted his son with farsa on his head and others assaulted his
son and wife with stick and set blaze his residential house.

Learned counsel for the petitioner submits that there is
a counter version being Gahmariya P.S. Case No.152 of 2018.
The petitioner is, of course, named in the F.I.R. but no specific
allegation is made against the petitioner. Similarly situated co-
accused Md. Habib and Mustuph have been granted anticipatory
bail by a coordinate bench of this court by order dated



13.03.2019 passed in Cr.Misc.No.15482 of 2019.

There appears from perusal of F.I.R. itself that, of course, the informant named 12 persons and the name of the petitioner figured at serial no.6 but no specific allegation is made against the petitioner. Similarly situated two other accused persons, namely, Md. Habib and Mustuph have already been granted anticipatory bail.

Having considered the facts aforesaid, the above named petitioner, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IV, Madhepura in connection with Gamhariya P.S. Case No.151 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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