

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18227 of 2019

Arising Out of PS. Case No.-160 Year-2018 Thana- KUMAR KHAND District- Madhepura

1. Md. Kashim Son of Md. Jamal Resident of Village - Tikulia, P.S.- Kumarkhand, District - Madhepura
2. Md. Abjul Son of Shakhabt Resident of Village - Tikulia, P.S.- Kumarkhand, District - Madhepura
3. Md. Islam @ Islam Miyan Son of Md. Luchai Mian Resident of Village - Tikulia, P.S.- Kumarkhand, District - Madhepura
4. Md. Alam Son of Md. Islam Resident of Village - Tikulia, P.S.- Kumarkhand, District - Madhepura
5. Md. Kudush Son of Md. Islam Resident of Village - Tikulia, P.S.- Kumarkhand, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Harun Quareshi, Adv.
For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 03-05-2019 This application, for grant of anticipatory bail, arises out of Kumar Khand P.S. Case No. 160 of 2018, disclosing offences under Sections 147, 148, 149, 364I, 323, 354(B), 307, 504, 506/34 of the Indian Penal Code later on Section 302 was added.

Allegation as per F.I.R. is that petitioners along with unknown miscreants armed with deadly weapons and on order of co-accused Md. Anish, co-accused Md. Kamaruddin and Md. Mustak assaulted with farsa and rod to the father of informant



causing serious head injury and when informant came to save, he was also assaulted by Md. Kudus by fist causing bleeding injury on his nose and when his uncle came to save, he was also assaulted by Md. Kashim on his head and other family members were also assaulted by the petitioners and others.

Submission of learned counsel for the petitioners is that only general and omnibus allegation has been attributed to the petitioners and there is no allegation against them of assaulting the deceased.

Heard learned A.P.P. also.

Having heard both sides, considering the fact that so far petitioner no. 5 is concerned, I am not inclined to grant the privilege of anticipatory bail to the petitioner rather petitioner should surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, without being prejudiced by this order.

So far remaining petitioners are concerned, in the event of their arrest or surrender before the court below within six weeks, they are directed to be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of



learned CJM, Madhepura, in connection with Kumar Khand P.S.
Case No. 160 of 2018, subject to the condition laid down under
Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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