

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77159 of 2019

Arising Out of PS. Case No.-88 Year-2006 Thana- BISFI District- Madhubani

-
1. MD. EZAZ (Male), aged about 60 years, son of Late Iliyas.
 2. Md. Kalim (Male), aged about 58 years, son of Late Iliyas.
 3. Ashfaque (Male), aged about 60 years, son of Late Shaflur Rahman.
 4. Shakir (Male), aged about 45 years, son of Late Navi Hassan.
 5. Jalal (Male), aged about 45 years, Son of Late Muslim.
 6. Heera Nadaf Mukhia @ Md. Hira (Male), aged about 42 years, son of Md. Allauddin.
 7. Raja (Male), aged about 40 years, son of Late Yunus.
 8. Naseem (Male), aged about 70 years, son of Late Jameer.
 9. Md. Haider (Male), aged about 48 years, son of Late Moti.
 10. Md. Hefazat Kareem @ Hafazat Kareem(Male), aged about 55 years, Son of Suleman.
 11. Md. Israil @ Israil (Male), aged about 70 years, son of Late Suleman.
- All resident of Village - Chhachhua, P.S - Bisfi, District - Madhubani.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar, Advocate
For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 27-11-2019 Heard learned counsel for the petitioners and
learned counsel for the State.

In this case, the petitioners are seeking anticipatory
bail in connection with Bisfi P.S. Case No. 88 of 2006, G.R. No.
1380 of 2016, registered for the offence under Sections 147,
148, 149, 323, 325, 341, 504 and 307 of the Indian Penal Code.



Allegation has been made that accused persons came and put the revolver on the temple of the informant and asked that why he has not caste his vote in favour of their party and thereafter assaulted him with the butt of the revolver, lathi and danda.

It appears that the petitioners have already been granted Police bail, in such view of the matter, this anticipatory bail application of these petitioners is not maintainable.

Let the petitioners surrender before the Court below within a period of six weeks from today and pray for regular bail, the Court below will consider the same in light of the ratio laid down in the case of *Mahendra Prasad Singh vs. the State of Bihar* reported in *2004(3) PLJR 491* and pass appropriate order, if the petitioners have not misused the privileged of Police bail.

Accordingly, this anticipatory bail application is disposed of.

(Shivaji Pandey, J)

pawan/-

U		T	
---	--	---	--

