

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84422 of 2019

Arising Out of PS. Case No.-167 Year-2019 Thana- PARIHAR District- Sitamarhi

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1. MD. SHAKIL, Son of Md. Shalim
 2. Md. Jilani, Son of Md. Rizwan
 3. Md. Rizwan @ Rizwan, Son of Md. Shabir
 4. Md. Mukhtar, Son of Late Shafique
 5. Md. Raju @ Raju, Son of Md. Ganni
 6. Md. Irfan, Son of Md. Shabir
 7. Md. Asgar, Son of Md. Shamshul
 8. Md. Ashraf, Son of Md. Shamshul
 9. Md. Jabir @ Jabir, Son of Late ILiyas
 10. Abdul Gani @ Md. Gani, Son of Md. Noorul Haque
 11. Md. Nadim, Son of Md. Shabir
- All Resident of Village - Sutihara, P.S.- Parihar, District - Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-12-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners in this case are seeking anticipatory
bail in connection with Parihar P.S. Case No.167 of 2019
registered for the offences punishable under Sections 341, 323,
324, 504, 506, 307, 354, 302 and 109/34 of the Indian Penal
Code.



Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Learned counsel submits that there is no specific allegation of assault against these petitioners.

Learned APP for the State is present and has opposed the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case wherein there are allegations that the petitioners had gone near the house of the informant lashed with various weapons and had assaulted the brother of the informant Md. Akram and Md. Arman and in the said occurrence specific allegations have been made against Md. Irfan (petitioner no.6) and Md. Nadim (petitioner no.11) that they had assaulted the deceased on his head and thereafter other accused persons namely Md. Jabir (petitioner no.9), Md. Shakil (petitioner no.1), Tanvir (not petitioner before this Court) and Md. Asgar (petitioner no.7) had also assaulted the brother of the informant and the nature of the allegations are such that it shows that all the accused persons are said to have participated in the alleged occurrence which ultimately led to death of the brother of the informant, I am not inclined to grant privilege of anticipatory bail to the petitioners. This application is dismissed.



In case, the petitioners surrender and pray for regular bail in the court below within a period of four weeks from today, their prayer for regular bail shall be considered on their own merit on the basis of the materials collected in course of investigation.

(Rajeev Ranjan Prasad, J)

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