

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.76304 of 2018

Arising Out of PS. Case No.-9 Year-2017 Thana- DHAKA District- East Champaran

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1. Md. Alam Khan @ Master Alam Khan, S/o Late Samiullah Khan,
 2. Arshad Alam @ Arshad Khan, S/o Md. Alam Khan @ Master Alam Khan,
Both resident of Village- Pandari, P.S.- Dhaka, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Zaki Haider

For the Opposite Party/s : Mr.Smt. Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 11-01-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Dhaka P.S. Case No. 09 of 2017 for the offence under Sections 147, 148, 149, 504, 506, 323, 341, 354(A), 379, 307, 435, 436, 452, 380, 427 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioners has submitted that before registration of the present First Information Report on 05.01.2017, a First Information Report was registered on 02.01.2017, giving rise to Dhaka P.S. Case No. 4 of 2017 in respect of the same occurrence alleged to have taken place on 01.01.2017, in which the husband of the informant is an accused. He submits that lodging of the present First Information Report is nothing but a counter blast to the previous First Information Report. According to him, the petitioners have been implicated because they are relatives of the ex-Mukhiya of the concerned Gram Panchayat with whom the informant and



her family has rivalry.

Considering the above submission, particularly the submission that for the same occurrence a First Information Report was registered on 02.01.2017, this application is allowed.

Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Sikrahana at Dhaka, in Dhaka P.S. Case No. 9 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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