

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15855 of 2020

Arising Out of PS. Case No.-268 Year-2019 Thana- BARSOI District- Katihar

1. SHER MOHAMMAD S/o Rafique Resident of Village- Maheshpur, P.S.- Barsoi, Distt- Katihar
2. Md. Lukman S/o Sirajuddin Resident of Village- Maheshpur, P.S.- Barsoi, Distt- Katihar
3. Md. Azad S/o Mofizuddin Resident of Village- Maheshpur, P.S.- Barsoi, Distt- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Musowir

For the Opposite Party/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 14-07-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149 and 303 of the Indian Penal Code.

The prosecution case, in short, is that the accused persons assaulted bhainsur of the informant due to which he



sustained injury and later succumbed to the injury.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. There is a case and counter case between the parties. The injury on the accused side has not been explained by the prosecution. The prosecution has not come with clean hands. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the facts and circumstances of the case and also the lockdown, the petitioners above named, in the event of arrest or surrender before the learned Court below within a period of eight weeks from today, be released on anticipatory bail on their personal bonds to the satisfaction of learned A.C.J.M. Katihar, in connection with Barsoi P.S. Case No. 268/2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Once the normalcy is restored, the petitioners shall



furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of seven weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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