

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27818 of 2020

Arising Out of PS. Case No.-160 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

1. Md. Hadis Miya @ Hadis Mohammad, Male, aged about 65 years, S/O Late Aliman Miya, Resident of Village Somgarh, P.S. Sahebganj, Distt. Muzaffarpur.
2. Md. Nasim, Male, aged about 30 years, S/O Md. Hadis Miya, Resident of Village Somgarh, P.S. Sahebganj, Distt. Muzaffarpur.
3. Aas Muhammad, Male, aged about 35 years, S/O Late Roja Miya, Resident of Village Somgarh, P.S. Sahebganj, Distt. Muzaffarpur.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Santosh Kumar, Advocate.
For the Opposite Party : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 27-11-2020 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.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks after restoration of normalcy.

Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 341, 342, 447, 323, 324



and 504/34 of the I.P.C. Later on, Section 307 of the I.P.C. was also added.

The prosecution story, in brief, is that all the accused persons including the petitioners assaulted the informant and his family members by various weapons such as *Lathi*, *Daab* and *Sword* and made them grievously injured.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. All injuries are said to be simple in nature. No offence under Section 307 of the I.P.C. is made out.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioners above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/-(Rupees Ten Thousand)



each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. Ist (West), Muzaffarpur, in connection with Sahebganj P.S. Case No. 160/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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