

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30286 of 2020

Arising Out of PS. Case No.-300 Year-2020 Thana- MADHAURAH District- Saran

1. NESAR ALI S/o Sheruddin Miyan Resident of Village-Mirjapur, P.S.-Marhaura, District-Saran.
2. Nanhak Miyan S/o Late Lal Miyan Resident of Village-Mirjapur, P.S.-Marhaura, District-Saran.
3. Raja Miyan S/o Munna Miyan @ Vidhayak Resident of Village-Mirjapur, P.S.-Marhaura, District-Saran.
4. Nanhak Miyan S/o Munna Miyan @ Vidhayak Resident of Village-Mirjapur, P.S.-Marhaura, District-Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mazharul Hassan

For the Opposite Party/s : Mr.Nityanand

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-12-2020 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 from the date of restoration of normalcy.

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, 341, 323, 324, 307, 379, 188, 504, 506 of the Indian Penal Code.

The prosecution case, in short, is that the accused persons including the petitioners assaulted the informant by means of lathi, danda, stick and co-accused Munna Mian @ Vidhayak hurled knife aiming the head of the informant, but in a bid to ward off the blow the informant sustained injury on his finger.

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 this case. Specific allegation is against the co-accused Munna Mian @ Vidhayak. So far the petitioners are concerned, general and omnibus allegation has been made. 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.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail



bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Marhowrah P.S. case No.300 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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