

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75705 of 2019

Arising Out of PS. Case No.-109 Year-2019 Thana- POTHIIYA District- Kishanganj

1. Gulsara W/o Israil @ Md. Israil @ Bal Bano R/o village- Kharabari Udgara, Ward No. 9, P.S.- Pothiya, District- Kishanganj
2. Saidul S/o Late Yusuf R/o village- Kharabari Udgara, Ward No. 9, P.S.- Pothiya, District- Kishanganj

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Jha

For the Opposite Party/s : Mr.Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 19-06-2020 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek pre-arrest bail in connection with Pothia P.S.Case No. 109 of 2019 registered under Sections 341, 323, 307 and 302/34 of the Indian Penal Code.

Regard being had to the fact that in the FIR there is no specific allegation of assault caused to the victims as against the petitioners as also that it was co-accused Lal Bano and Noor Islam against whom there is specific allegation that they assaulted Md. Imteyaz, the nephew of the informant and Rehan, son of the informant as a result of which Md.Imteyaz died on the spot and even the son of the informant Md. Rehan in his



statement made under Section 161(3) of the Code of Criminal Procedure did not make any specific allegation of overt act against the petitioners, in the event of arrest or surrender before the court below, they are directed to be released on 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 ACJM-1st, Kishanganj in connection with Pothia P.S. Case No. 109 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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