

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77490 of 2019

Arising Out of PS. Case No.-1072 Year-2019 Thana- NAWADA District- Nawada

1. MD. SAMIM Son of Md. Manir, Resident of Village - Nanhu Nagar Bhadauni, P.S.- Town Nawada, District- Nawada
2. Md. Monu @ Md. Monu Bhatt Son of Md. Samim, Resident of Village - Nanhu Nagar Bhadauni, P.S.- Town Nawada, District- Nawada
3. Md. Jhana @ Md. Jhana Bhatt Son of Md. Samim, Resident of Village - Nanhu Nagar Bhadauni, P.S.- Town Nawada, District- Nawada
4. Md. Sanna @ Sanna Son of Md. Halim, Resident of Village - Nanhu Nagar Bhadauni, P.S.- Town Nawada, District- Nawada
5. Md. Ako @ Md. Ako Bhatt Son of Majir Bhatt Resident of Village - Nanhu Nagar Bhadauni, P.S.- Town Nawada, District- Nawada
6. Md. Arman Son of Md. Karu @ Karu Bhat, Resident of Village - Nanhu Nagar Bhadauni, P.S.- Town Nawada, District- Nawada
7. Md. Man Son of Md. Karu @ karu Bhat, Resident of Village - Nanhu Nagar Bhadauni, P.S.- Town Nawada, District- Nawada
8. Md. Ashraf @ Md. Ashraf Bhatt Son of Late Md. Asgar Bhatt, Resident of Village - Nanhu Nagar Bhadauni, P.S.- Town Nawada, District- Nawada
9. Md. Gulab @ Md. Gulab Bhatt Son of Late Md. Asgar Bhatt, Resident of Village - Nanhu Nagar Bhadauni, P.S.- Town Nawada, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma

For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 06-03-2020 Heard the learned counsel for the petitioners and the learned APP for the State.

The petitioners apprehend their arrest in connection with Nawada Town P.S. Case No. 1072 of 2019 for the offence punishable under Sections 307, 379 and other allied Sections of the Indian Penal Code.

The allegation is regarding the accused persons having



assaulted the informant, after arriving at the door of her house, whereafter the informant is stated to have fallen down on the earth and had sustained serious injury.

The learned counsel for the petitioners has submitted that the allegation of assaulting the informant is on the co-accused person namely Md. Mokhtar, who is not a petitioner in the present case and there is general and omnibus allegation levelled against the petitioners herein, hence, they do not have any complicity in the matter. It is further submitted that the petitioners herein have not been alleged to have assaulted the informant, hence, benefit of doubt can be given to the petitioners and they can be admitted to the privilege of anticipatory bail. Lastly, it is submitted that the petitioners are having a clean antecedent.

Having regard to the facts and circumstances of the case and considering the submissions made by the learned counsel for the petitioners, I deem it fit and proper to confirm the provisional anticipatory bail, already granted to the petitioners, by an earlier order dated 9.12.2019, passed in the present case.

The petitioner stands allowed.

(Mohit Kumar Shah, J)

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