

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85421 of 2019

Arising Out of PS. Case No.-367 Year-2019 Thana- GOGRI District- Khagaria

1. MOKIK UDDIN @ BUCHCHHO @ MOKIM UDDIN @ MD. MOKIM UDDIN S/o Late Subhan R/o village- Muskipur, P.S.- Gogri, District- Khagaria
2. Chand Alam S/o Mokik Uddin @ Buchchho @ Mokim Uddin @ Md. Mokim Uddin R/o village- Muskipur, P.S.- Gogri, District- Khagaria
3. Saddam Alam S/o Mokik Uddin @ Buchchho @ Mokim Uddin @ Md. Mokim Uddin R/o village- Muskipur, P.S.- Gogri, District- Khagaria
4. Md. Kasim Molvi @ Md. Kasim Hafij S/o Mokik Uddin @ Buchchho @ Mokim Uddin @ Md. Mokim Uddin R/o village- Muskipur, P.S.- Gogri, District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bharat Bhushan

For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-01-2020 At the outset, the learned counsel for the petitioners seeks to withdraw the present petition qua the petitioner no. 3 in order to enable him to surrender before the learned court below within four weeks from today and seek regular bail.

Accordingly, the present petition qua the petitioner no. 3 stands dismissed as not pressed, however, with liberty to him to surrender before the learned court below within four weeks from today and apply for regular bail.

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

This is an application for grant of anticipatory bail in



connection with Gogri P.S. Case No. 367 of 2019 arising out of G.R.No. 3147 of 2019 registered for the offence punishable under Sections 447, 341, 323, 307, 337, 338, 504 and 34 of the Indian Penal Code.

The allegation in brief is that the co-accused persons including the petitioners herein had arrived at the house of the informant whereafter they had engaged in assaulting the informant, however, the specific allegation of assault is against the petitioner no. 3, who is stated to have assaulted the informant, namely, Kayam Uddin resulting in him being inflicted with grievous injury.

The learned counsel for the petitioners has submitted that as far as the petitioner nos. 1, 2 and 4 are concerned, there is no specific allegation of any sort of overt act, hence, they are entitled to the privilege of anticipatory bail. It is further submitted that the petitioner nos. 1, 2 and 4 are having a clean antecedent and are having deep roots in the society, hence are not likely to flee from the investigation, if any, and the ensuing trial.

Having considered the facts and circumstances of the case and considering the fact that there is no allegation of any sort of specific overt act as against the petitioner nos. 1, 2 and 4,



this Court deems it fit and proper to grant anticipatory bail to them.

Accordingly, the petitioners are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Gogri P.S. Case No. 367 of 2019 arising out of G.R.No. 3147 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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