

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33798 of 2020

Arising Out of PS. Case No.-235 Year-2020 Thana- BARHARA District- Bhojpur

1. ASHARAF MIA Son of Giri Mia Resident of Village - Gagiapur Tola Chhinegaon, Police Station - Barhara in the district of Bhojpur.
2. Sonu Mia Son of Giri Mia Resident of Village - Gagiapur Tola Chhinegaon, Police Station - Barhara in the district of Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-02-2021 Learned counsel for the petitioners is directed to remove the defects, as pointed out by the Office, within a period of four weeks.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Section 302 and 34 of the Indian Penal Code.

The prosecution case, in short, is that the accused persons assaulted the husband and family members of the informant due to which they sustained injuries and her husband died in course of treatment.

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 the present case. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. From perusal of the order of the Sessions Court, it would appear that the case is found to be true under Section 304/34 of the Indian Penal Code.

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 six 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, Bhojpur in connection with Barhara (Sinha O.P.) P.S. Case No. 235 of 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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