

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5512 of 2021

Arising Out of PS. Case No.-26 Year-2020 Thana- BHANGWANPUR HAT District- Siwan

1. Arbaj Miyan @ Arbaz Alam Son of Munna Miyan Resident of Village - Badka Gaon, Pawariya Tola, P.S.- Bhagwanpur Hat , Distt.- Siwan.
2. Nasir Alam @ Nasir Miyan Son of Maksud Miyan Resident of Village - Badka Gaon, Pawariya Tola, P.S.- Bhagwanpur Hat , Distt.- Siwan.
3. Imran Ali @ Imran Miyan Son of Munna Miyan Resident of Village - Badka Gaon, Pawariya Tola, P.S.- Bhagwanpur Hat , Distt.- Siwan.
4. Amtab Ali @ Amtab Miyan Son of Murid Miyan Resident of Village - Badka Gaon, Pawariya Tola, P.S.- Bhagwanpur Hat , Distt.- Siwan.
5. Salman Ali @ Salman Miyan Son Of Sadhu Miyan Resident of Village - Badka Gaon, Pawariya Tola, P.S.- Bhagwanpur Hat , Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 26-11-2021 Heard learned counsel for the petitioners and

learned APP for the State.

Learned counsel for the petitioners is expected

to honour his undertaking given in the instant case for

depositing the requisite court fee and to remove the

defects as pointed out by the office when called upon to

do so by the office.

The petitioners are apprehending their arrest in



a case registered for the offences punishable under Sections 341, 323, 324, 325, 307, 504, 506, 379, 34 of the Indian Penal Code.

It is alleged in the F.I.R that all the accused persons including the petitioners surrounded the brother of the informant and made assault with iron rod, hockey stick and lathi. It is specifically alleged against co-accused Bitarkar Mian that he assaulted with iron rod on the head of the brother of the informant due to which he sustained head injury. It is also alleged that petitioner No. 1 snatched gold chain and Rs. 1100/-from the brother of the informant.

It is submitted by learned counsel for the petitioners that there is general and omnibus allegation against the petitioners and the accused Bitarkar Mian who assaulted the brother of the informant on his head by iron rod is not petitioner before this Court. A statement has been made in para 3 of the petition that petitioners have no criminal antecedent.



In the facts and circumstance of the case, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st, Class, Siwan in connection with Bhagwanpur Hat P.S. Case No. 26 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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