

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3384 of 2021

Arising Out of PS. Case No.-66 Year-2020 Thana- KONCH District- Gaya

1. ASHMU MIAN @ MD ASMUDDIN @ ASHMU MIAN S/o LATE ALIM MIAN Resident of Village - Amwan, P.S. - Konch, District - Gaya.
2. PEER MOHAMMAD ALI S/o Late Sharfuddin Resident of Village - Amwan, P.S. - Konch, District - Gaya.
3. NAIM MIAN @ MD NAIM MIAN S/o Nezamuddin Mian Resident of Village - Amwan, P.S. - Konch, District - Gaya.
4. MD HANIF @ HANIF MIAN S/o Late Salim Mian Resident of Village - Amwan, P.S. - Konch, District - Gaya.
5. SAMIM MIAN VILLAGE AMWAN, PS KONCH, DISTRICT GAYA
6. MD KAIL MIAN @ SERAJ ALAM S/o Moin Mian @ Md. Moin Resident of Village - Amwan, P.S. - Konch, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudha Chandra
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 22-11-2021 At the outset, learned counsel for the petitioners seek permission to withdraw the application of the petitioner nos. 1, 3 & 6 namely, Ashmu Mian @ Md Asmuddin @ Ashmu Mian, Naim Mian @ Md. Naim Mian and Md. Kail Mian @ Seraj Alam as they have been arrested during the pendency of the application.

Permission is granted.

Accordingly, the application as against petitioner nos. 1, 3 and 6 is dismissed as withdrawn.



Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioners are expected to honour their undertaking to remove the defects, as pointed out by the office, when called upon to do so by the office.

The petitioners are apprehending his arrest in connection with GR No. 1202 of 2020 arising out of Konch P.S. Case No. 66 of 2020 for the offence registered under Sections 147, 148, 149, 341, 323, 324, 307, 379 and 152(A) of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in the present case. It is further submitted that there is case and counter case between the parties. It is further submitted that the injury sustained by the injured are simple in nature It is further submitted that the petitioner has no criminal antecedent.

Considering the facts and circumstances of the case, let the petitioner nos. 2, 4 & 5, above named, in the event of their arrest/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 thousand) each with two sureties of the like amount each to the satisfaction of



learned 3rd Additional Chief Judicial Magistrate, Gaya in
connection with GR. No. 1202 of 2020 arising out of Konch P.S.
Case No. 66 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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