

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8116 of 2021

Arising Out of PS. Case No.-19 Year-2020 Thana- KATIHAR MUFFASIL District- Katihar

1. DULARI @ HASEENA KHATOON W/o Md. Sammo Resident of Village- Islampur, P.S.- Mufassil, Distt- Katihar
2. MD. YUNUS Son of Late Md. Dukhha Resident of Village- Islampur, P.S.- Mufassil, Distt- Katihar
3. MD. ZABBAR Son of Late Md. Dukhha Resident of Village- Islampur, P.S.- Mufassil, Distt- Katihar
4. MD. SONU Son of Md. Idris Resident of Village- Islampur, P.S.- Mufassil, Distt- Katihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Ranjan

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 07-12-2021 Heard the parties.

The petitioners apprehend their arrest in connection with Mufassil P.S. Case No. 19 of 2020, registered for the offence under Sections 302, 379, 427 and 34 of the Indian Penal Code and under Section 27 of the Arms Act.

As per the prosecution case, Anwarul was killed by the petitioners and other accused. The informant of the case claims to be eye witness and as per her version Dulari @ Haseena Khatoon was pelting stones and there is no overtact against the other petitioners namely Md. Yunus, Md. Zabbar and



Md. Sonu. There is a counter case registered by Md. Azad, who was injured in the occurrence and the mother of Md. Azad was killed.

Learned Counsel for the petitioners has brought to my notice Annexure-3, which is a case registered by the Police and from Annexure-3, it is clear that a huge recovery of arms were made from the house of Anwarul, which was used in the occurrence.

It seems that there was previous dispute between the parties and this occurrence took place because of that two murder have been taken place one from each side.

There is no recovery of any arms from the house of the petitioners and it seems that it was Anwarul and his family members, who had initiated the assault, who were the author of the occurrence and thereafter in the free fight Anwarul also sustained some injuries, which might have been caused from each side.

Considering the aforesaid facts, the application for anticipatory bail of the petitioners is allowed, let above named petitioners, in the event of their arrest or surrender within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like



amount each to the satisfaction of learned Chief Judicial
Magistrate, Katihar in connection with Mufassil P.S. Case No.
19 of 2020, subject to the conditions as laid down under Section
438 (2) of the Cr.P.C.

(Sandeep Kumar, J)

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