

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21637 of 2021

Arising Out of PS. Case No.-556 Year-2020 Thana- ARARIA District- Araria

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1. MISTER JINNAT S/O MD JABBAR
 2. Noushad S/o Rizwan
 3. Jabir S/o Sohrab
 4. Bibi Noor Jahan @ Noor Jahan W/o Md. Jabbar
 5. Tikli @ Jainab S/o Md. Jabbar
 6. Kurban S/o Sohrab
 7. Malu S/o Late Nasim @ Hasim
- All R/o village - Araria Basti, Ward No. 07, P.S. - Araria (Bairgachhi O.P.), District - Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate
For the Opposite Party/s : Mr. Kumar Veerendra Narayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-06-2022 By order dated 05.01.2022, the prayer for anticipatory bail of petitioner no. 1, namely, Mister Jinnat, has already been dismissed as withdrawn.

Learned counsel for the petitioners submits that petitioner no. 6, namely, Kurban has been arrested during the pendency of the present anticipatory bail application, as such, seeks permission to withdraw the prayer for anticipatory bail application against him.

Permission is accorded.

Heard learned counsel for the petitioner nos. 2, 3, 4, 5



and 7 and learned A.P.P. for the State.

The petitioner nos. 2, 3, 4, 5 and 7 apprehend their arrest in a case registered for the offences punishable under Sections 323, 147, 149, 341, 342, 379, 353, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioner nos. 2, 3, 4, 5 and 7 submits that petitioner no. 2, 3 and 7 are persons with clean antecedent and petitioner no. 4 and 5 have antecedent of one case.

Allegation is of dragging the informant to the house by the accused persons and thereafter all the accused persons assaulted the informant.

Learned counsel for the petitioner nos. 2, 3, 4, 5 and 7 further submits that petitioner nos. 2, 3, 4, 5 and 7 have been falsely implicated in the present case. There is no injury report on the record and it absolutely does not stand to reason that the informant, who is a constable, would have been dragged from the police station by the accused and thereafter assaulted by them at their house.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned



counsel for petitioner nos. 2, 3, 4, 5 and 7, the petitioner nos. 2, 3, 4, 5 and 7 above-named, in the event of their arrest or 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Araria (Bairgachhi) P.S. Case No. 556 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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