

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26641 of 2021

Arising Out of PS. Case No.-110 Year-2020 Thana- DAGARUA District- Purnia

1. ISHTIYAQUE @ MD. ISHTIYAQUE S/o Ashfaque R/o village- Hatgachhi, P.S.- Dagarua, District- Purnea
2. Jumman S/o Late Tahir R/o village- Hatgachhi, P.S.- Dagarua, District- Purnea

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Ram Prawesh Kumar, Advocate
For the Opposite Party/s	:	Dr. Indihar Kumari, APP
For the informant	:	Mr. Rashid Izhar, Advocate

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-03-2022 Heard learned counsel for the petitioners, learned APP
for the State and learned counsel for the informant.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the Office, within a period of four weeks.

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 341, 323, 307, 302 and 504 of the Indian Penal Code.

The prosecution allegation, in short, is that the accused persons including the petitioners assaulted the informant and family members due to which they sustained injuries and later the son of the informant succumbed to the injuries.

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. Specific allegation of assault is alleged against the co-accused namely Hasnain who is alleged to have assaulted the deceased by khanti on the head.

On behalf of the State and the informant, 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 twelve 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 Chief Judicial Magistrate, Purnea in connection with Dagarua P.S. Case No. 110 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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