

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20794 of 2022

Arising Out of PS. Case No.-249 Year-2021 Thana- KURSAKANTA District- Araria

1. IFTEKHAR @ ISTAKHAR Son of Gul Mohammad Resident of Village - Garaiya Lailokhar, Ward No. 04, P.S. Kursakanta (Kuwari), District - Araria.
2. Balegur Rahman @ Balebul @ Balekul Son of Rustam Resident of Village - Garaiya Lailokhar, Ward No. 04, P.S. Kursakanta (Kuwari), District - Araria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bidhanesh Misra, Advocate

For the Opposite Party/s : Mr. Raj Kishore Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-05-2022 Heard learned counsel for the petitioners and the State through virtual mode.

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 Kusakanta (Kuwari) P.S. Case No. 249 of 2021 registered for the offence under Sections 147, 149, 341, 323, 353, 504 of the Indian Penal Code.

Petitioners are alleged to have entered into a scuffle and got one person released from police custody and fled away to Nepal.

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 been made accused in the present case due to mistake of fact. As per allegation, the petitioners entered into a scuffle and got one person released from police custody and crossed the Nepal Border. A counter version to the present case is Annexure-2 to the present application.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioners, above named, in the event of arrest or 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, Araria in connection with Kusakanta (Kuwari), Araria P.S. Case No. 249 of 2021 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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