

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33730 of 2021

Arising Out of PS. Case No.-3 Year-2017 Thana- BALTHAR District- West Champaran

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1. Gaffar Miya @ Md Gaffar Miya, son of Wakil Miya.
 2. Tabrej Miya @ Tabrej Aalam, son of Gaffar Miya @ Md. Gaffar Miya.
 3. Tahrn Nesha @ Tahrn Khatoon, W/O Gaffar Miya @ Md. Gaffar Miya.
 4. Hafiz Miya, S/O Late Samsheer Miya.
 5. Phulsahiba Khatoon @ Ful Saroban, W/O Hafiz Miya.
- Petitioners
- Versus
- The State of Bihar
- Opposite Party
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Appearance :

For the Petitioner : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 17-05-2022 Heard learned counsel for the parties.

Learned counsel for the petitioners is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

This application for anticipatory bail arises out of Belthar P.S. Case No. 03 of 2017 for the offence punishable under Sections 341, 447, 323, 324, 504, 506, 308, 379/34 of the Indian Penal Code but cognizance has been taken under Sections 341, 447, 323, 324, 504, 506, 308/34 of the Indian Penal Code.

Learned counsel for the petitioners seeks permission to withdraw this bail application on behalf of



petitioner nos. 1 and 2, above named.

Accordingly, this bail application is dismissed on behalf of petitioner nos. 1 and 2, above named. However, if the petitioner nos. 1 and 2 surrender within a period of four weeks from today and seek regular bail, the Court below shall consider and decide the same on the same day in accordance with law without being influenced by this order.

So far as the bail of petitioner nos. 3 to 5 is concerned, the same is allowed considering the nature of dispute and the injury sustained by the injured as also considering the fact that there is case and counter case from both the sides.

Accordingly, let the petitioner nos. 3 to 5, above named, in the event of their arrest/surrender within four weeks from today in the Court below, 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 the learned A.C.J.M.-IV, Bettiah, West Champaran, in connection with Balthar P.S. Case No. 03 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sandeep Kumar, J)

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