

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29108 of 2022

Arising Out of PS. Case No.-379 Year-2021 Thana- JOKIHAT District- Araria

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1. MD ASHIF @ MD ASIF Son of Ekhlague Resident of Village - Chilhania Malharia, P.s.- Jokihat, Distt.- Araria.
 2. Sher Mohammad Son of Habib Resident of Village - Chilhania Malharia, P.s.- Jokihat, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-09-2022 Heard learned counsel for the petitioners and learned APP for the State.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offence punishable under section 302, 201, 120B/34 of IPC.

Allegedly, the F.I.R. named accused persons including the petitioners have killed the son of the informant by



strangulation.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. The petitioners are not named in the F.I.R. Similarly, situated co-accused has been granted anticipatory bail by this court vide order dated 13.07.2022 in Cr. Misc. No.4843 of 2022. Petitioner no.1 has no criminal antecedent and petitioner no.2 has one criminal antecedent, which is also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since similarly situated co-accused person has been granted bail by this court, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Jokihat (Mahalgaon) P.S. Case
No.379 of 2021, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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