

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51105 of 2021

Arising Out of PS. Case No.-228 Year-2021 Thana- MAJHAULIA District- West Champaran

1. KADAM RASUL MIAN @ KADAM RASUL, aged about 82 years, Male, Son of Late Botu Mian.
2. Ashraf Mian @ Ashraf Alam, aged about 25 years, Male, son of Raja Hussain Mian.

Both are resident of Village - Dudha, Ward No.- 12, P.S. - Majhauria, District - West Champaran.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Akhileshwar Kumar Shrivastva, Advocate
For the Opposite Party : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 15-02-2022 Heard learned counsel for the parties through video conferencing.

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 Majhauria P.S. Case No. 228 of 2021 for the offence punishable under Sections 302, 120-B/34 of the Indian Penal Code.

Learned counsel for the petitioners seeks permission to withdraw this bail application on behalf of petitioner no.2, above named.

Accordingly, this bail application is dismissed as withdrawn on behalf of petitioner no. 2, above named.



It has been submitted by learned counsel for the petitioners that the petitioner no.1 is 82 years old man and his age has wrongly been mentioned in the F.I.R. as 57 years, inasmuch as, there is general and omnibus allegation against him.

Considering the aforesaid facts, let the petitioner no.1, above named, in the event of his arrest/surrender within ten weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, West Champaran, Bettiah, in connection with Majhaulia P.S. Case No. 228 of 2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

However, before accepting the bail bonds of the petitioner no.1 the Court below shall satisfy itself regarding the age of the petitioner no.1 as it has been submitted by learned counsel for the petitioners that he is 82 years old man.

(Sandeep Kumar, J)

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