

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57246 of 2021

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

1. MD. TOHID Son of Md. Hamid R/o Village- Dubali, Tolikola, P.S.- Dagarua, District- Purnea.
2. Md. Saddam Son of Md. Idrish R/o Village- Hatgachi, P.S.- Dagarua, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Praveen Kumar Agrawal, Advocate
For the Opposite Party/s	:	Mr. Nagendra Prasad, A.P.P.
For the Informant	:	Mr. Shams Akhtar, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-07-2022 Heard learned counsel for the petitioners, the informant and learned A.P.P. for the State.

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

Learned counsel for the petitioners submits that petitioners are persons with clean antecedent.

The prosecution case, in short, is that the accused persons including the petitioner no. 2 assaulted the informant and his family members due to which they sustained injuries and later the son of the informant succumbed to the injures.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. The petitioner no. 1 is not named in the FIR and his name came during the course of



investigation. It is next submitted that allegation of assault to the son of the informant leading to his death is on Hasnain. It is next submitted that similarly situated other co-accused have been granted anticipatory bail by order dated 15.02.2022 in Cr. Misc. No. 23489 of 2021 and Shahid @ Shahid Alam has been granted regular bail by order dated 07.07.2021 in Cr. Misc. No. 11031 of 2021.

Learned A.P.P. for the State and the informant opposed the prayer for anticipatory bail of the petitioners but are not able to meet the submissions of the learned counsel for the petitioners that similarly situated co-accused have been granted anticipatory bail and petitioner no. 1 is not named in the FIR.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten 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 connection with Dagarua P.S. Case No. 110 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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