

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54682 of 2022

Arising Out of PS. Case No.-148 Year-2021 Thana- CHHATAPUR District- Supaul

1. MD MUSTAQUE @ MUSTAK S/o Md. Taslim R/o Village- Suryapur, P.s.- Chhatapur, District- Supaul
2. Md. Chunna @ Tabrej Alam S/o Md. Mustaque @ Mustak R/o Village- Suryapur, P.s.- Chhatapur, District- Supaul

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nafisuzzoha

For the Opposite Party/s : Mr.Dilip Kumar No. 1

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-12-2022 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under Sections 307/379 and other allied sections of the Indian Penal Code.

Prosecution's case in short is that petitioners assaulted the informant and her daughter, took away cash Rs.50,00/- and snatched silver chain from them.

Learned counsel appearing for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Parties are co-villagers. Case and counter case. Injuries sustained by the injured have been found



to be simple in nature. It is further submitted that there is delay of two days in lodging of the FIR and there is no plausible explanation of delay which itself creates doubt over the prosecution case. Petitioners have got no criminal antecedent.

Considering the nature of allegation against the petitioners, in the event of arrest/surrender within six weeks from today, let the petitioners, named above, 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 Judicial Magistrate 1st class, Supaul in Chhatapur Police Station Case No. 148 of 2021, subject to the conditions laid down under sections 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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