

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73086 of 2022

Arising Out of PS. Case No.-663 Year-2021 Thana- NATHNAGAR District- Bhagalpur

1. HAMMAD @ MD. HAMMAD Son of Nurulla @ Md. Nurulla Resident of Village- Ali Bux Lane, Momin Tola, P.S.- Nathnagar, District- Bhagalpur
2. BHAI @ MAJ Son of Nurulla @ Md. Nurulla Resident of Village- Ali Bux Lane, Momin Tola, P.S.- Nathnagar, District- Bhagalpur
3. NURULLA @ MD. NURULLAH Son of Late Ataur Rahman Resident of Village- Ali Bux Lane, Momin Tola, P.S.- Nathnagar, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha

For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-02-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 307, 384, 504, 506 and 34 of the Indian Penal Code and Section 27 of the Arms Act pending in the learned court below.

Allegation against the petitioner is that petitioners have interned in the house of the informant and started abusing her and asked about her husband, brother-in-law and demanded ransom Rs.2,00,000/- (rupees two lakh). In the meantime when her brother in law came there petitioner no.3 opened fire upon him.

Learned counsel for the petitioners submits that the



petitioners are innocent and have been falsely implicated in this case. He further submits that there is delay of 25 days in filing of the present FIR which creates serious doubt about the prosecution case. He submits that petitioners and informant are close agnate and informant is the step *bhabhi* of petitioner no.3. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances and the fact that there is delay in filing of the present FIR, let the petitioners, named above, in the event of their arrest/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.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Nathnagar P.S. Case No.663/2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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