

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13013 of 2024

Arising Out of PS. Case No.-493 Year-2022 Thana- KRITYANAND NAGAR District-
Purnia

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1. MD. AFROZ @ MD. AFROZ ALAM S/O MD. RAFIQUE R/O VILLAGE- KADGAMA, WARD NO.-08, P.S- SRI NAGAR, DISTT.- PURNEA, BIHAR.
 2. MD. RAFIQUE S/O MD. LATE SAHID R/O VILLAGE- KADGAMA, WARD NO.-08, P.S- SRI NAGAR, DISTT.- PURNEA, BIHAR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nishant Kumar Sinha
For the Opposite Party/s : Mr. Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-03-2024 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 342, 353, 332, 224, 504 and 506 of the Indian Penal Code.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and the informant who is a police officer alleges that during the course of patrolling, he got information that the stolen motorcycle was in possession of Md. Mofil, accordingly, a raid was made, but then family members of Mofil all of a sudden appeared along with villagers in large numbers and started obstructing the police in discharging their official duty and the ruckus created was such that the apprehended accused persons fled from the police custody.



4. Learned counsel for the petitioners next submits that petitioners have been falsely implicated in the present case, it is next submitted that petitioner are not related to Md. Mofil, rather are co-villagers, as such, there was absolutely no occasion for the petitioners to participate in the occurrence, when no useful purpose would have been served by getting Mofil freed from police custody.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. 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 trial court 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 trial court where the case is pending/successor court in connection with K. Nagar (Sri Nagar) P.S. Case No. 493 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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