

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16537 of 2024

Arising Out of PS. Case No.-162 Year-2023 Thana- MANJHAGARH District- Gopalganj

1. Shamshul Nesha W/o Ahamad Hussain@ Makub Village- Devapur, Akil Tola, P.S.- Manjhagarh, Gopalganj, Bihar
2. Murtja @ Murtuja Son of Ahamad Hussain @ Makub Village- Devapur, Akil Tola, P.S.- Manjhagarh, Gopalganj, Bihar
3. Mustafa @ Mustufa S/o Ahamad Hussain @ Makub Village- Devapur, Akil Tola, P.S.- Manjhagarh, Gopalganj, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 09-07-2024 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 341, 323, 324, 307, 373, 504, 506/34 of the Indian Penal Code.

3. As per the prosecution case, on the order of petitioner No. 1, petitioner Nos. 2 and 3 caught hold of son of the informant and thereafter co-accused Eklakh Hussain inflicted knife blow upon him and his son.

4. Learned counsel for the petitioners submits that there is no allegation of assault against these petitioners.



Petitioner No. 1 is only alleged to be the order giver and petitioner Nos. 2 and 3 are alleged to have caught hold of son of the informant. Specific allegation of assault is against co-accused Eklakh Hussain. Petitioners claim clean antecedent.

5. Considering the nature of accusation and clean antecedent, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of six weeks from today, be enlarged 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 Chief Judicial Magistrate, Gopalganj in connection with Manjhagarh P. S. Case No. 162 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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