

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31867 of 2015

Arising Out of PS.Case No. -30 Year- 2015 Thana -HABIBPUR District- BHAGALPUR

1. Md. Ismayeel Son of Md. Islam
2. Md. Alam Son of Md. Muslim Both resident of village - Shahjangi,
Police Station - Habibpur, District - Bhagalpur

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Dr. Manoj Kumar, Adv.

For the Opposite Party/s : Mr. R.N.Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH
ORAL ORDER

2 12-08-2015 Heard learned counsel for the petitioners and learned
Assistant Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Habibpur P.S. Case No. 30 of 2015, disclosing offences under Sections 147, 148, 149, 447, 448, 380, 427, 307, 379 and 384 of the Indian Penal Code.

Learned counsel for the petitioners has submitted, referring to the First Information Report, that there is no specific allegation of assault against them and they have been implicated in the case only because agreement for sale has been entered between the petitioners and the land owners with whom, the informant has dispute over the title of the property in question. The petitioners have no criminal antecedent.

Keeping in mind the nature of allegation, I am inclined to grant the petitioners the privilege of anticipatory bail.

Accordingly, this application is allowed. Let the petitioners, abovenamed, in the event of their arrest or surrender before the court below within six weeks, be released on 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 learned Judicial Magistrate, Bhagalpur in connection with Habibpur P.S. Case No. 30 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall liable to be cancelled.

(Chakradhari Sharan Singh, J.)

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