

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.18587 of 2015

Arising Out of PS.Case No. -16 Year- 2015 Thana -AMAUR District- PURNIA

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1. Rustam @ Rustum @ Kamaruddin, son of Late Kamir
 2. Md. Saimu, son of Late Kamir,
 3. Md. Farid son of Late Kamir,
 4. Md. Kalu son of Late Kamir,
 5. Md. Maimuddin, son of Late Erasad null
 6. Kismati Khatoon, wife of Maimuddin
 7. Md. Anjar, son of Md. Hasib
 8. Rubi Begam, wife of Md. Hasim All Resident of Village- Lalchura, P.S. Amour, District- Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate.

For the Opposite Party/s: Mr. Dinesh Singh (App)

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 15-06-2015

Heard learned counsel for the parties.

Having regard to the nature of allegation against the petitioners for offence under Sections 147, 148, 149, 323, 324, 307, 379 and 504 of the Indian Penal Code and the fact that the four persons are said to have sustained injuries, while this Court would not be inclined to grant privilege of anticipatory bail to the petitioner nos. 1 to 5 and 7 but then keeping in view that the petitioner no. 6 Kismati Khatoon and petitioner no. 8 Rubi Begam are ladies, who have got no criminal antecedent, this Court would direct that if the petitioner nos. 6 and 8 namely Kismati Khatoon and Rubi Begam respectively surrender before the court below

within a period of four weeks from today, they shall be released on bail on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Purnea in connection with Amour P.S. Case No. 16 of 2015, subject to the following conditions:

(i) That both the bailors will be close family relatives of the petitioner, who will undertake an affidavit giving genealogy as to how they are related with the petitioners. The bailors will also undertake to inform the court if there is any change in the addresses of the petitioners.

(ii) That the affidavit shall clearly state that the petitioners are not accused in any other case and if they are, they shall not be released on bail.

(iii) That the bailors shall also state on affidavit that they will inform the court concerned, if the petitioners are implicated in any other case of similar nature after their release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of their bail on the ground of misuse.

(iv) That the petitioners will be well represented on each and every date in course of trial and if they fail to

do so on two consecutive dates, their bail will be liable to be cancelled on this ground alone.

The prayer for anticipatory bail of the petitioner nos. 1 to 5 and 7, namely, Rustam @ Rustum @ Kamaruddin, Md. Saimu, Md. Farid, Md. Kalu, Md. Maimuddin, and Md. Anjar respectively is hereby rejected.

(Mihir Kumar Jha, J)

Sujit/-

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