

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.32697 of 2015

Arising Out of PS.Case No. -45 Year- 2015 Thana -CHAUSA District- MADHEPURA

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1. Md. Jubair Alam @ Md. Jubair, Son of Late Illiyas
 2. Md. Murad, Son of Late Md. Khushbokth @ Late Md. Buroo
 3. Md. Rajeesh @ Md. Rahish, Son of Md. Talim
- All Resident of Village - Paina, P.S. - Chausa, District - Madhepura.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Sanjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. U.L.Verma (A.P.P.)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 14-08-2015 Heard learned counsel for the petitioners and
learned Assistant Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Chausa P.S. Case No. 45 of 2015, disclosing offences under Sections 307/34 of the Indian Penal Code and 27 of the Arms Act.

Learned counsel appearing on behalf of the petitioners submits that for the alleged occurrence dated 14/04/2015, the Fardbeyan of the present case was made on



29/04/2015. He submits that prior to institution of the present case; the First Information Report was lodged by the petitioner no. 1, implicating the informant as an accused in a case of murder of his brother. The occurrence of the said case had taken place on 14/04/2015 and the First Information Report was also instituted on the same date. Learned counsel for the petitioners submits that the present one is a malicious prosecution and is a counter blast to the earlier case instituted by the petitioner no. 1.

In view of the submission as above, 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, Ist Class, Uda-Kishunganj, Madhepura** in connection with **Chausa P.S. Case No. 45 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, as 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)

Praveen-II/-

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