

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.49075 of 2014**

Arising Out of PS.Case No. -116 Year- 2014 Thana -SHERGHATI District- GAYA

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1. Qamar Khan Son of Jafaruddin Khan  
2. Shamshad Khan Son of Jafaruddin Khan Both residents of village  
Ratanpura, P.S. Sharghati, Distt. Gaya.

.... .... Petitioners

Versus

1. The State of Bihar.

.... .... Opposite Party

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**Appearance :**

For the Petitioners : Mr. Nikhilesh Kumar

For the Opposite Party : Mr. Rajendra Singh Shastri (App)

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**CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR**  
**MANDAL**  
**ORAL ORDER**

3      29-06-2015      Heard both sides.

Petitioners herein are brothers and seek anticipatory  
bail in connection with Sherghati P.S. case no. 116 of 2014  
registered under diverse major penal provisions of the IPC  
including Section 387 of the IPC.

Allegation is that the petitioners demanded a ransom  
of Rs. 2,00,000/- from the informant and on non fulfillment  
thereof they put the poultry farm of the informant on fire.

Learned counsel for the petitioners draws attention  
of the Court to the evidence collected in para 9 of the case diary  
and submits that several witnesses have denied the aforesaid  
allegation levelled against the petitioner. Subsequent to this they

have been involved in another case relating to the murder of the father of the informant. Except these cases there are nothing against the petitioners.

In the facts and circumstances of the case, let the petitioners, named above, in the event of their arrest/surrender before the learned Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Sub Divisional Judicial Magistrate, Sherghati, Distt. Gaya in connection with Sherghati P.S. case no. 116 of 2014, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with following conditions:-

- (i) One of the bailors in each case shall be the own/close family member of the petitioners.
- (ii) As soon as the charges are framed the petitioners shall appear in person before the trial court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the trial Court shall have liberty to cancel the bail bonds of the



petitioners and secure their arrest in accordance with law.

(iii) During the subsistency of the privilege of anticipatory bail if the petitioners are found involved in any other criminal case, the same shall be treated as breach of the condition(s) of bail entailing its cancellation.

Shyam/-

**(Kishore Kumar Mandal, J)**

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