

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45493 of 2015

Arising Out of PS.Case No. -179 Year- 2015 Thana -BHAGWAN BAZAR District- SARAN

1. Md. Shiboo @ Shiboo Ali Son of Md. Hafiz
2. Md. Lamboo @ Lamboo S/o Md. Nanhe
3. Sughan Ali S/o - Md. Hasim
4. Md. Bhola @ Bhola Son of Md. Khairati
5. Tiger Ali Son of Md. Nasruddin
6. Md. Niyazuddin @ Niyazuddin S/o Dhanai Mian
7. Md. Mithoo @ Mithoo Son of Suleman Mian
8. Md. Murad Ali @ Murad Ali Son of Asgar Mian
All residents of Village - Daltanganj, Mirdraiya Tola, P.S. Bhagwan Bazar,
District - Saran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh, Adv.
For the State : Md. Sufiyan APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA PRAKASH
ORAL ORDER

2 14-10-2015 Heard learned counsel for the Petitioners and the State.

The Petitioners seek anticipatory bail in a case instituted for the offence under Sections 147, 148, 149, 341, 323, 324 and 307 of the Indian Penal Code.

Considering that there is no specific overt act alleged against the Petitioners which act is attributed to Sahabuddin and there is a counter version of the occurrence, let the Petitioners who have fair antecedents, in the event of surrender, named above, within four weeks from the date of receipt of this order, in connection with Bhagwan Bazar P.S. Case No. 179 of 2015, shall be released on anticipatory bail on furnishing bail bond of Rs.5,000/- (Five thousand)

each with two sureties of the like amount each or any other surety to be fixed by the Court concerned to the satisfaction of Chief Judicial Magistrate, Saran at Chapra, subject to the following conditions: (i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address 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 bailor shall also state on affidavit that he 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 bail on the ground of misuse. (iv) That the petitioners will give an undertaking that they will receive the police papers on the given date and be present on date fixed for charge and if they fail to do so on two given dates and delay the trial in any manner, their bail will be liable to be cancelled for reasons of misuse. (v) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

S.Ali/-

(Anjana Prakash, J)

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