

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 45977 of 2014

Arising Out of PS.Case No. -108 Year- 2013 Thana -CHHATAPUR District- SUPAUL

=====

Md. Jakir @ Jakir Mian, Son of Mohammad Miya resident of village -
Mahaddipur, P.S. Chhatapur, District – Supaul.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

=====

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL ORDER

3 01-05-2015 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner apprehends arrest in Chhatapur
P.S. Case No. 108 of 2013 dated 18.06.2013 instituted under
Sections 147/341/308/323/324/379/504/506/34 of the
Indian Penal Code.

As per the allegation, the petitioner along with
eight others is said to have assaulted the informant and his
other family members with stick, farsa and rod.

Learned counsel for the petitioner submits that
against the petitioner there is no allegation of any specific
overt act and in the F.I.R. itself, the genesis of the incident is
said to be fight between the children in which the elders also
got involved. It is submitted that the incident happened on the
spur of the moment and further the petitioner was only a
member of the mob without assaulting anyone specifically and

the allegation of specific overt act is against others. It is further submitted that the petitioner has no criminal antecedent.

Learned A.P.P. opposes the prayer for anticipatory bail.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Supaul in Chhatapur P.S. Case No. 108 of 2013, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure, 1973. The petitioner shall cooperate in the trial and be present before the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall lead to cancellation of his bail bonds.

(Ahsanuddin Amanullah, J.)

P. Kumar

U		T	
---	--	---	--