

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46079 of 2015

Arising Out of PS.Case No. -66 Year- 2015 Thana -SIKTA District-
WESTCHAMPARAN(BETTIAH)

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1. Mahmood Alam Son of Late Manjoor Alam,
2. Sk. Harun, Son of Sk. Salim,
3. Maqubool @ Sk. Maqubool @ Maqsood Son of Sk. Manjoor,
4. Sk. Safi Ahmad, Son of Late Dankan Ali, Resident of Vilalge - jhumka,
P.S. - Sikta, District - West Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

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

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CORAM: HONOURABLE MR. JUSTICE MIHIR KUMAR JHA
ORAL ORDER

2 04-11-2015 Heard learned counsel for the parties.

Having regard to the nature of allegation for offence under sections 341, 323, 324, 326, 379/34 of the Indian Penal Code and that there is a counter version of the same occurrence at the instance of the co-accused Shahmood, who in fact has been also ascribed the main role of causing injury by knife on the injured person, this Court by taking into account that there is only an omnibus allegation against the petitioners and that they have also got no criminal antecedent, would be inclined to grant privilege of anticipatory bail to all of them.

That being so, if the petitioners, namely, 1. Mahmood Alam, 2. Sk. Harun, 3. Maqubool @ S.K.Maqubool @ Maqsood



and 4. Sk. Safi Ahmad, 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/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri J. Kumar, Judicial Magistrate, 1st Class, Bettiah, West Champaran in Sikta P.S.Case No. 66/2015, subject to the following conditions:

(i) That the court below shall make verification of criminal antecedent of the petitioners and if it is found that they are accused in any other criminal case, they shall not be granted bail and would be taken into custody.

(ii) That both the bailors will be a close relative of the petitioners who will give 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 address of the petitioners.

(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 the 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 and every date 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.

(Mihir Kumar Jha, J)

surendra/-

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