

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22227 of 2016

Arising Out of PS.Case No. -279 Year- 2015 Thana -FORBESGANJ District- ARRARIA

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1. Md. Idris S/o Md. Akaloo
 2. Md. Kurban S/o Md. Jamil
 3. Md. Samsul S/o Md. Badar
 4. Md. Juber Alam Md. Juber S/o Late Rustam All are resident of village - Madhubani Ward No. 7, P.S. Forbesganj, District - Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh
For the Opposite Party/s : Mr. A. Dayal (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

3 13-07-2016 Heard learned counsel for the parties.

This application for grant of anticipatory bail arises out of Forbesganj P.S. Case No. 279 of 2015, disclosing offences under Sections 147,341,323,307,379,427,504 and 506 of the Indian Penal Code.

From the First Information Report, it is evident that the occurrence took place because of some civil dispute between the parties.

Learned counsel for the petitioners has submitted that the injuries have been found to be simple in nature which falsifies the allegations made in the First Information Report.

Learned counsel appearing on behalf of the Informant, on the other hand, has vehemently opposed the prayer for



bail and has submitted that the petitioners have criminal antecedents as is evident from paragraph 3 of the application and, therefore, they should not be granted the privilege of anticipatory bail. In response to the said submissions, learned counsel for the petitioners has submitted that the said First Information Report was also lodged at the instance of the husband of the informant. He submits that the petitioners are being falsely implicated in one case after the another.

Considering the facts and circumstances of the case and the nature of dispute between the parties, this application is allowed. Let the petitioners above-named in the event of their arrest/surrender within four weeks from today in the court below, 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 the learned Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 279 of 2015, subject to the conditions as 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 be liable to be cancelled.

It goes without saying that the if the petitioners are found acting in breach of the present order, the informant shall be at liberty to approach this Court for cancellation of their bail bonds.

(Chakradhari Sharan Singh, J)

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