

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22838 of 2016

Arising Out of PS.Case No. -85 Year- 2015 Thana -AMDABAD District- KATI HAR

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1. Chamru @ Safiuddin S/o Late Habib Resident of Village- Bairiya, P.S.-
Amdabad, Distt- Katihar. Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Sunil Kumar Panday(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI

SHARAN SINGH

ORAL ORDER

3 13-07-2016 The certified copy of the First Information Report of Amdabad Police Station Case No. 85 of 2015 has been filed on behalf of the petitioner, let the same be kept on record.

Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Amdabad Police Station Case No. 85 of 2015, disclosing offences under Section 302/34 of the Indian Penal Code.

Referring to the First Information Report, learned Counsel for the petitioner has submitted that the main allegation of assault is against co-accused Khalil. So far as this petitioner is concerned, there is general and omnibus allegation of assaulting the deceased with lathi. It is submitted on behalf of the petitioner that the petitioner is

70 years of age and there is no likelihood that he will be tampering with the evidence or fleeing from the course of investigation or trial, if granted privilege of anticipatory bail.

Considering the above submission, this application is allowed.

Let the petitioner, Chamru @ Safiuddin, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Shri B. K. Choudhary, learned Judicial Magistrate, 1st Class, Katihar, in connection with Amdabad Police Station Case No. 85 of 2015, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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