

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6344 of 2016

Arising Out of PS.Case No. -150 Year- 2015 Thana -LAURIYA District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Afsar Alam son of Vakil Ahmed resident of Village- Telpur, P.S.- Lauriya, District- West Champaran, Bettiah.
 2. Vakil Ahmed son of Late Usman resident of Village- Telpur, P.S.- Lauriya, District- West Champaran, Bettiah.
 3. Rafi Ahmed @ Rehan Son of Late Arsool Majid, resident of Village- Telpur, Thana- Lauriya, District- West Champaran, Bettiah.
 4. Irshad Ali son of Hafiz Reyaz, resident of Village- Telpur, P.S.- Lauriya, District- West Champaran, Bettiah.

.... Petitioners

Versus

1. The State of Bihar
2. Shahnawaz Akhtar, son of Abul Kalam, resident of Village- Telpur, P.S.- Lauriya, District- West Champaran, Bettiah.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Fakhruddin Ali Ahmad

For the Opposite Party/s : Mr. R.B.Roy Raman(App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 24-02-2016 Heard learned counsel for the petitioners and the learned

Addl. Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Lauriya P.S. Case No. 150/2015, disclosing offences under sections 448, 341, 342, 323, 324, 307. 379. 504 and 506/34 of the Indian Penal Code.

Considering the fact that there is direct allegation against petitioner no.1, Afsar Alam, of causing fire arm injury upon the informant, I am not inclined to grant him privilege of anticipatory bail.

The prayer for anticipatory bail of petitioner no.1 is, hereby, rejected.

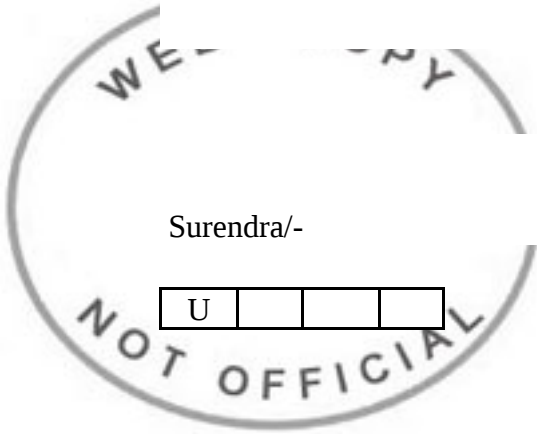
Petitioner no.1 is directed to surrender before the court below within six weeks from today and seek regular bail, if so advised. If he does so, his application for regular bail shall be considered on its own merit, without being prejudiced by rejection of present application for grant of anticipatory bail.

However, considering the submission that there is no allegation of assault against petitioners no. 2 and 3 and against petitioner no.4 it is alleged that he hit the informant with the butt of country made rifle, this application to the extent it relates to petitioners no. 2, 3 and 4 is allowed.

Let petitioners no. 2 to 4, abovenamed, in the event of their arrest/ surrender before the court below within six weeks from today, 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 Chief Judicial Magistrate, Bettiah in Lauriya P.S.Case No. 150/2015, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

This is subject to the condition that petitioners no. 2 to 4 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.



(Chakradhari Sharan Singh, J)