

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22368 of 2016

Arising Out of PS.Case No. -152 Year- 2011 Thana -KHANPUR District- SAMASTIPUR

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1. Mahfooz Ansari Son of Khursheed Ansari
2. Mahjub Ansari Son of Khursheed Ansari
3. Noor Ansari Son of Khursheed Ansari
4. Khursheed Ansari Son of Hasim Ansari
All resident of Village ILMAS Nagar P.S. Khanpur, District- Samastipur.
..... Petitioners

Versus

The State of Bihar... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sujit Kumar Singh

For the Opposite Party/s : Mr. Shailendra Kumar 2 (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 24-05-2016 Heard learned counsel for the petitioners and learned APP
for the Sate.

The petitioners seek bail in connection with Khanpur P.S. Case No. 152 of 2011 registered for the offences punishable under Sections 341, 323, 324, 307, 504/34 of the Indian Penal Code and Section 3 (x) of SC/ST (Prevention of Atrocities) Act.

The petitioners were allowed pre-arrest bail vide order dated 23.02.2012 passed in Cr. Misc. No. 45035 of 2011 but the petitioners did not comply the condition of that order and remained physically absent in the court, resulting their petition filed under Section 317 Cr. P.C. was rejected on 07.01.2016 and thereafter, they surrendered on 06.04.2016 and since then they are in custody.

Submission is that now the petitioners undertake to remain vigilant in future and they will not commit any such mistake and they by remaining in custody have been sufficiently penalized.

In the facts and circumstances stated above, the petitioners above named are directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Samastipur in connection with Khanpur P.S. Case No. 152 of 2011, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioners shall remain present on each and every date during trial and the default on two consecutive dates on their part without any reason shall disentitle the petitioners from privilege of bail.

(Jitendra Mohan Sharma, J)

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