

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7643 of 2016

Arising Out of PS.Case No. -221 Year- 2015 Thana -BARHARIA District- SIWAN

=====

1. Shahabuddin
2. Molladdin
3. Azmuddin All 1 to 3 son of Fazle Haque Ansari null
4. Saheb Hussain Son of Late Hanif Mian
5. Rahmat Ali Son of Shahabuddin All 1 to 5 Residents of Village- Bibi Ke Bangra, P.S. Barharia, Distt- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Javed Aslam

For the Opposite Party/s : Mr. Nirmal Kumar Sinha(App)

=====

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 28-03-2016 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Barharia Police Station Case No. 221 of 2015,
disclosing offences under Sections 341, 323, 325, 308, 504,
506 of the Indian Penal Code.

Learned Counsel for the petitioners submits that
injuries upon the informant and his son have been found to
be simple, caused by hard and blunt substance. According
to him, no offence under Section 308 of the Indian Penal
Code is made out on the basis of the allegation as
contained in the First Information Report. The petitioners
have no criminal antecedent. He accordingly submits that

there is no likelihood of petitioner fleeing from the course of investigation or trial and tampering with the evidence at any stage.

Considering the submissions, as above, this application is allowed.

Let the petitioners, namely, Shahabuddin, Molladdin, Azmuddin, Saheb Hussain and Rahmat Ali, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan, in connection with Barharia Police Station Case No. 221 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 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.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---