IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55531 of 2017

Arising Out of PS.Case No. -1800 Year- 2012 Thana -PATNA COMPLAINT CASE District- PATNA

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1. Samsher Ali @ Md. Samsher Ali @ Md. Samsher Ansari, Son of Md. Zabbar,
2. Md. Jamshed @ Md. Jamshed Ansari, Son of Md. Zabbar,
3. Kaushar Parveen, W/o Md. Zabbar,
4. Md. Zabbar, Son of Md. Noor, All are resident of Village- Shahasia, P.O.- Sahdai Bujoorg, P.S.- Desari, Dist- Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Md. Sabir, Son of Md. Hafiz, R/o Vill- Shahasia, P.O.- Sahdei Bujoorg, P.S.- Sahdai Bujoorg, Dist- Vaishali, presently resides at the house of Mumtaj Ahmed Khan, Son of Late Md. Hakim Anwar Ahmed Khan, at Ahmed Ali Lane, Near Lal Pan Bhandar, Bhanwar Pokhar, P.O.- Bankipur, District- Patna.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Bela Singh
For the Opposite Party/s : Mr. Sri Amitesh Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 22-11-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Complaint Case No. 1800 C of 2012 instituted for the offence under Sections-498, 380 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that except petitioner No. 2 rest petitioners are villagers of the complainant. They have no concern with the family affairs of the complainant and his wife. The petitioner No. 2 has performed marriage with Israt Khatoon after getting divorce from brother of the informant.

In the complaint petition, there is allegation that all these

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petitioners stayed in the house of the complainant and in the evening they took away several articles as mentioned in the written report.

From narration in the written report itself, it appears that there is general and omnibus allegation against the petitioners.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Complaint Case No. 1800 C of 2012 to the satisfaction of learned Additional Chief Judicial Magistrate-cum-Sub Judge-XIV, Patna subject to condition as laid down u/S 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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