

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14845 of 2017

Arising Out of PS.Case No. -13 Year- 2016 Thana -PALASI District- ARRARIA

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1. Md. Anwar, son of Shayad Ali
2. Md. Arif, son of Abu Bakar
3. Md. Ajaijul @ Ajaijul Haque, son of Abul Karim @ Karimuddin.
4. Md. Kaiser @ Md. Kaushar Alam, son of Late Ismail All Resident of Village- Bhattabari, Police Station- Palasi, District- Araria.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate
For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-04-2017

Heard learned counsel for the petitioners.

The petitioners are apprehending their arrest in connection with Palasi P.S.Case No.13 of 2016 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379, 504 and 506 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that there is no allegation of either assault or any overt act against the petitioners and, as a matter of fact, after investigation petitioners were not sent up for trial but learned Magistrate differing with the view of I.O. has taken cognizance against the petitioners and there is counter case also, which has been filed prior to lodging of the present case.



Heard learned APP also.

Having heard both sides and in considering the facts and circumstances of the case, let the petitioners, named above, in the event of their arrest or surrender in the court within a period of two weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria, in connection with Palasi P.S. Case No. 13 of 2016, G.R. No. 226 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further conditions that petitioners shall co-operate in the investigation and make themselves available before the police as and when required and in the event of failure on their part to appear before the police on two consecutive dates, the prosecution shall be free to move for cancellation of their bail bonds and further petitioners will not induce any witness or tamper with the evidence.

(Vinod Kumar Sinha, J)

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