

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16077 of 2017

Arising Out of PS.Case No. -965 Year- 2014 Thana -KHAZANIHAT District- PURNIA

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1. Md. Mahmood , Son of Late Ramjan.
2. Bibi Ayasa Khatoon, Wife of Md. Mahmood, Both of Mohalla Wali Tola, P.S.- K. Hat, District- Purnia.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Jha

For the Opposite Party/s : Mr. Sri Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-05-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in K. Hat (Madhubani) P.S. Case No. 965 of 2014 instituted for the offence under Sections-341, 307, 354, 380, 420, 467, 468, 471, 120B of the Indian Penal Code.

It has been submitted on behalf of the petitioners that it is a case of purely of civil dispute. The petitioner No. 2 is vendor of the land who had executed sale deed on the basis of power of attorney from her mother. The petitioner No. 1 is husband of petitioner No. 2.

It has been submitted that other co-accused has been granted anticipatory bail by coordinate benches of this court vide orders dated 02-09-2016 & 06-10-2016 passed in Cr Misc. Nos.



34461 of 2016 and 41595 of 2016.

In such circumstances, prayer for anticipatory bail is allowed it is ordered that the petitioners named above, in the event of their arrest or surrender in the court below within four 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 K. Hat (Madhubani) P.S. Case No. 965 of 2014 to the satisfaction of learned Chief Judicial Magistrate, Purnea 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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