

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40387 of 2017

Arising Out of PS.Case No. -165 Year- 2017 Thana -BARSOI District- KATIHAR

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1. Chiku Khatoon, Wife of Md. Haiyul,
2. Habiba @ Habba, Daughter of Md. Haiyul, Wife of Sukru
3. Ashma, Wife of Shahjamal.
4. Lalo @ Lalo, Wife of Md. Sikandar @ Md. Sikandara @ Sabiba.
5. Sabiba Khatoon @ Sabiba, Daughter of Md. Haiyul, Wife of Masle, All
residents of village- Balupara, Police Station- Barsoi, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar

For the Opposite Party/s : Mr. Sri Lakshmi Kant Sharma

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 22-09-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Barsoi P.S. Case No. 165 of 2017 instituted for the offence under Sections-302, 427 & other minor Sections of the Indian Penal Code.

It has been submitted on behalf of petitioners that there is specific allegation against Md. Haiyul and Azad of assaulting the husband of the informant who subsequently, died.

There is general and omnibus allegation against these petitioners. The other co-accused namely, Sahid and Fayik with similar allegation have been granted anticipatory bail by this court vide order dated 08-09-2017 passed in Cr. Misc. No. 41328 of 2017.

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 Barsoi P.S. Case No. 165 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Katihar 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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