

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22978 of 2017

Arising Out of PS.Case No. -506 Year- 2016 Thana -LAHERIASARAI District- DARBHANGA
=====

1. Anisur Rab @ Annu Rab
2. Adil Rab @ Ekabal @ Adil @ Equbal Rab

.... Petitioners.

Versus

The State of Bihar

.... Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Shama Sinha

For the Opposite Party/s : Mr. Sri Parmeshwar Mehta
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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 06-07-2017 Heard learned counsel for the petitioners and learned
Addl. Public Prosecutor for the State.

The petitioners apprehend their arrest in Laheriasarai
P.S. Case No. 506 of 2016 instituted for the offence under
Sections-307, 120(b) & other minor sections of the Indian Penal
Code and 27 of the Arms Act.

It has been submitted on behalf of petitioners that
petitioner No. 1 is said to be order giver. There is no allegation of
any overt act against the petitioner No. 2. He is son of petitioner
No. 1. Counsel for the petitioners has further submitted that police
in its supervision note at paragraph-87 of the C.D. has clearly
mentioned that several cases are pending against the informant and
his family members.

From the fardbyan itself, it appears that petitioner No. 1



is said to be order giver while petitioner No. 2 is son of petitioner No. 1 and there is no specific allegation of overt act against petitioner No. 2.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners, named above in the event of their arrest/surrender in the court below within six weeks from today shall be released on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each in connection with Laheriasarai P.S. Case No. 506 of 2016 to the satisfaction of learned Chief Judicial Magistrate, Darbhanga subject to conditions 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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