

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.38601 of 2017

Arising Out of PS.Case No. -94 Year- 2017 Thana -KURSAKANTA District- ARRARIA

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1. Amjad, S/o Md. Kasim
2. Umar @ Md. Umar, S/o Md. Kasim
3. Md. Mojib @ Maujim, S/o Late Gafoor
4. Aisa Khatoon, W/o Md. Mojib @ Maujim, All Resident of Village-
Dohuabari, P.S.- Kursakanta, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh

For the Opposite Party/s : Mr. Smt. Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 22-08-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Kursakanta P.S. Case No. 94 of 2017 instituted for the offence under Sections-325, 354-B, 379 & other minor Sections of the Indian Penal Code.

It is alleged in the written report that co-accused Aftar assaulted the daughter-in-law of the informant on head with iron rod on account of which, she fell down unconscious after sustaining injury. The allegation against petitioner No. 4 is that she assaulted the informant with sickle on account of which, she sustained bleeding injury and was taken to hospital for treatment.

In this manner, it appears that there is general and omnibus allegation against these petitioners. There is specific allegation of assault against Md. Aftar.

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 Kursakanta P.S. Case No. 94 of 2017 to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Araria 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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