

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41325 of 2017

Arising Out of PS.Case No. -186 Year- 2017 Thana -JAGDISHPUR District- BHAGALPUR

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1. Md. Jakariya @ Jakir, S/o Late Md. Imran,
 2. Md. Vikki @ Md. Shakeeb Alam @ Md. Shakib Ayaz, Son of Md. Sahab,
 3. Md. Ali @ Md. Alishan, S/o Md. Kayum,
 4. Md. Shahanshah, S/o Md. Majammil,
 5. Md. Sarfaraz, S/o Late Memufuz @ Late Md. Mahfuz.
 6. Md. Farukh @ Farukh Hasan, Son of Md. Mojammil,
- All resident of Village- Salempur, P.S.- Jagdishpur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate.

For the Opposite Party/s : Dr. Mrityunjaya Kr.Gautam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-09-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Jagdishpur P.S. Case No. 69 of 2009 instituted for the offence under Sections 302/34 of the Indian Penal Code.

It has been submitted that there was altercation on account of land dispute between the parties. The counter case has also been filed by wife of petitioner No. 1 vide Jagdishpur P.S. Case No. 187 of 2017 against the husband of informant and others.

The learned Sessions Judge has mentioned in the



impugned order that no injury report is available on the record. There is general and omnibus allegation against the petitioners.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Jagdishpur P.S. Case No. 186 of 2017, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur, subject to the conditions as laid down under Section 438 (2) 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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