IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44990 of 2017

Arising Out of PS.Case No. -185 Year- 2017 Thana -ARARIA District- ARRARIA

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1. Md. Ainul @ Ainul Haque, son of Md. Sagiruddin
2. Md. Noor Alam, son of Md. Ainul
3. Md. Nasra, son of Md. Ainul
4. Md. Mustrakin @ Mustakim, son of Md. Ainul
5. Md. Hazra, son of Md. Soeb
6. Md. Dilwa,r son of Md. Azad

All are residents of village - Chikhi, Ward No. 07, P.S. - Araria, Dist - Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Ramesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Prem Kumar Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 13-10-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Araria P.S. Case No. 185 of 2017 instituted for the offence under Sections 341, 323, 324, 354(B), 307, 448, 380, 504 and 506/34 of the Indian Penal Code.

It has been submitted that both sides are agnates and next door neighbour. There is free fight between the parties. There is case and counter case between them.

Petitioner No. 1 Md. Ainul @ Ainul Haque lodged a case bearing Araria P.S. Case No. 183 of 2017 on the same day of

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the occurrence against the informant and other accused persons. The petitioner No. 1 was assaulted by the informant side in that case and he sustained injury.

Case diary has been received wherein injury report of the injured of the instant case is available.

From the First Information Report of both the cases, it appears that both sides have sustained injury and there has been free fight between the parties.

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 Araria P.S. Case No. 185 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, Araria, 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

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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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