

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.45742 of 2017**

Arising Out of PS.Case No. -9 Year- 2017 Thana -THAWE District- GOPALGANJ

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Ashif Jamil, Son of Aftab Alam, R/o Bara Jagmalwa, P.S.- Thawe, District-  
Gopalganj.

.... .... Petitioner/s

Versus

The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Ranjeet Kumar Pandey, Advocate

For the Opposite Party/s : Md. Arif, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

3      06-11-2017                      Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Thawe P.S.

Case No. 09 of 2017 instituted for the offence under Sections 147,  
148, 149, 341, 323, 447, 504, 379 and 302 of the Indian Penal  
Code.

Learned counsel for the petitioner has submitted that  
there is specific allegation against co-accused Aftab Alam of  
assaulting mother of the informant with iron rod causing serious  
injury to her. There is general and omnibus allegation against  
other accused persons that they assaulted mother of the informant  
with leg, fists, bricks etc.

Case diary has been received wherein post mortem  
report of mother of the informant is available.



The learned A.P.P. after perusing the post mortem report has submitted that Doctor has found cause of death due to head injury as a result impact of hard and blunt object.

In the written report there is specific allegation against Aftab Alam of causing injury on the head of mother of the informant with iron rod.

Learned counsel for the informant has appeared and submitted that petitioner has also taken active part in assaulting mother of the informant.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Thawe P.S. Case No. 09 of 2017, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj, 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) petitioner 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 petitioner and (3) if petitioner tampers 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 petitioner.

S.Ali/-

**(Sanjay Priya, J)**

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