

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39760 of 2017

Arising Out of PS.Case No. -78 Year- 2017 Thana -THAWE District- GOPALGANJ

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1. Dost Mohammad @ Dos Mohammad, son of Late Jumrati Miya.
 2. Samsuddin @ Md. Samsodin, Son of Dost Mohammad.
 3. Aas Mohammad, Son of Late Jumrati Miya,
 4. Arman Alam, Son of Aas Mohammad.
 5. Rizwan @ Rizvan Alam @ Rizvan, Son of Dost Mohammad.
- All are residents of Village- Rikhai Tola, P.S.- Thawe, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 06-10-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Thawe P.S. Case No. 78 of 2017 instituted for the offence under Sections 147, 447, 341, 323, 324, 307, 379 and 504 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that there was a free fight from both sides for which Thawe P.S. Case No. 79 of 2017 was registered on the basis of Fardbeyan of petitioner No. 1 against the informant and his other family members. In the instant case, total three persons is said to have sustained injury. The injury report has been enclosed as



Annexure-5 to 7 wherein the Doctor has found simple injuries on their person. It has further been submitted that informant is full brother of petitioner No. 1 and due to land dispute, the present case has been lodged.

Learned counsel for the informant has appeared and opposed the prayer for anticipatory bail of 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 Thawe P.S. Case No. 78 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, 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) 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.

S.Ali/-

(Sanjay Priya, J)

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