

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51894 of 2017

Arising Out of PS.Case No. -58 Year- 2017 Thana -SAHKUND District- BHAGALPUR

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1. Md. Ashfaq S/o Md. Jakiruddin, R/o Village- Hamidpur, Khaira, P.S.-
Shahkund, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha

For the Opposite Party/s : Mr. Smt. Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 14-11-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends arrest in Shahkund P.S. Case No.
58 of 2017 instituted for the offence under Section-307 & other minor
Sections of the Indian Penal Code.

In the written report, the petitioner is alleged to be an order
giver. There is specific allegation of assault against Md. Akhtar, Khalil
and Asif. In paragraph-3 of the petition, it has been mentioned that the
petitioner has no criminal antecedent.

In such circumstances, prayer for anticipatory bail is
allowed and it is ordered that the petitioner named above in the event of
his 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 Shahkund P.S. Case No. 58 of



2017 to the satisfaction of learned Sub Divisional Judicial Magistrate, Bhagalpur 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) 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.

(Sanjay Priya, J)

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