

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37007 of 2017

Arising Out of PS.Case No. -128 Year- 2017 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

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Hasmuddin Khan, Son of Late Shaukat Ali Khan @ Late Shaukat Khan,
Resident of Village- Sansaraiya, Police Station- Bettiah, Muhfasil, District-
West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajiv Ranjan, Advocate.

For the Opposite Party/s : Mr. Gauri Shankar Gupta, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 10-08-2017

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Mufassil P.S.

Case No. 128 of 2017, G.R. No. 1517 of 2017 instituted for the
offence under Sections 147, 148, 149, 447, 448, 353(A), 188, 295,
504 and 506 of the Indian Penal Code.

It has been submitted that there is general and
omnibus allegation against the petitioner. His name has been
disclosed by the Chowkidar and spy.

As per written report, the informant received
information that on account of construction work in the village
near small canal, the situation between both community is tense
and, the informant reached there along with police party and found



that members of both the families were adamant to riot. They also caused obstruction in discharging official duty of the informant. The informant has further stated that local Chowkidar disclosed the name of this petitioner and the other accused persons who were present in the village. In this manner, there is no specific allegation of overt act against this petitioner. The name of this petitioner has been disclosed by spy.

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 Bettiah Mufassil P.S. Case No. 128 of 2017, G.R. No. 1517 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, West Champaran, Bettiah, 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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