

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59627 of 2017

Arising Out of PS.Case No. -291 Year- 2017 Thana -JOKIHAT District- ARRARIA

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1. Nasim, S/o Late Ful Mohammad ,
2. Naim S/o Late Ful Mohammad,
3. Tarique S/o Nasim,
4. Barik S/o Nasim,
5. Ibran @ Imran S/o Nasim,
6. Bibi Saima @ Saima @ Bibi Saiyama W/o Nasim, All R/o Village-
Chakai, P.S.- Jokihat, District- Araria.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh, Advocate
For the Opposite Party/s : Mr. Ahtash Ali Khan

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 19-12-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in connection with Jokihat P.S. Case No.291 of 2017 instituted for the offence under Section 307 and other minor Sections of the Indian Penal Code.

It is alleged that petitioner no.4 put Gamcha around the neck of the informant with intention to kill. Petitioner no.1 caused injury in right hand of the informant with Kachia. Besides this there is general and omnibus allegation against petitioner nos.2,3,5 and 6.

Learned counsel for the petitioners has submitted that there is case and counter case between the parties. The occurrence is dated 7.9.2017 and F.I.R. was lodged on 12.9.2017 after delay



of about five days. Learned counsel for the petitioners has further submitted that injury on the person of the informant was found to be simple in nature as is evident from Annexure-3. The counter case has been filed from the side of the petitioners vide Jokihat P.S. Case No.291 of 2017 against the informant and others.

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, namely above, within six weeks from today, in connection with Jokihat P.S. Case No.291 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 C.J.M., Araria, subject to the 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.

(Sanjay Priya, J)

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