

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53832 of 2017

Arising Out of PS.Case No. -249 Year- 2017 Thana -ARARIA District- ARARIA

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Md. Israil, son of late Hakid, Resident of village-Bochi, Ward No.02
Rampur-Mohanpur, P.S.-Araria (Bairgachhi), District-Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh, Adv.

For the Opposite Party/s : None

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioner. No one appears for the State.

Petitioner is seeking anticipatory bail in connection with Araria P.S. Case No.249 of 2017 registered for offences punishable under Sections 302 and 120B/34 of the Indian Penal Code.

A bare perusal of the First Information Report and the impugned order of the learned Sessions Judge would show that there is no allegation at all against this petitioner in the matter of his participation in the alleged occurrence. The accused who assaulted the deceased is Md. Azam. The allegation against this petitioner is only that he was standing as a spectator and did not try to save the victim. The learned Sessions Judge said that it was his moral duty.



In the facts and circumstances, in case of arrest or surrender of the petitioner within a period of four weeks from today, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No.249 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C. and the petitioner shall immediately join the investigation by reporting to the investigating officer within a period of four weeks.

(Rajeev Ranjan Prasad, J)

Arvind/-

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