

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58283 of 2017

Arising Out of PS.Case No. -296 Year- 2015 Thana -CHANPATIA District-
WESTCHAMPARAN(BETTIAH)

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1. Samsul Haque, Son of Sakim Mian.
2. Ainul Haque, Son of Sakim Mian.
3. Md. Haroon, Son of Sakim Mian.
4. Sakim Mian, of Late Islam Mian, All residents of Village- Gidha, P.S.-
Chanpatia, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Smt. Anusuiya Jaiswal

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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 arrest in Chanpatia P.S. Case No.
296 of 2015 instituted for the offence under Section-307 & other minor
Sections of the Indian Penal Code.

It is alleged against petitioner No. 1 that he assaulted the
informant on head with Farsa causing injury. There is no allegation of
specific overt act against petitioner Nos. 2, 3 & 4.

The injury report has been enclosed as Annexure-2 wherein
the doctor has found injury on the person of the injured to be simple in
nature, caused by hard and blunt substance.

In such circumstances, prayer for anticipatory bail is
allowed and it is ordered that the petitioners named above in the event



of their 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 Chanpatia P.S. Case No. 296 of 2015 to the satisfaction of learned Additional Chief Judicial Magistrate-V, West Champaran, Bettiah 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) 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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