

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54351 of 2017

Arising Out of PS.Case No. -21 Year- 2017 Thana -RAUTA District- PURNIA

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1. Sakir Alam, son of Abdul Gaffur
 2. Rahamtulla, son of Abdul Gaffar
 3. Rahman, son of Abdul Gaffar
- All are resident of Pandavpur, P.S. Routa, Distt. Purnea.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate.
For the Opposite Party/s : Mr. Madan Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 10-11-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Routa P.S. Case No. 21 of 2017** instituted for the offence under Sections 147, 148, 323, 307, 452, 436, 379, 504, 506 and 302 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that they are not named in the First Information Report. They have clean antecedent. Their name has come during investigation.

It is alleged that co-accused persons named in the written report armed with Dabia, Farsa, sword, lathi etc. came at the house of Bhagina of informant and started damaging his house. On protest, the accused persons assaulted Md. Abujar, Md.



Tosib Alam, Md. Mehraj and when Md. Sakib Jafar @ Lalbabu went to save them, he was also assaulted by the accused persons. They also took away cash, jewellery, parts of Honda Pump Set etc. and set the house on fire. In this manner, there is no allegation of specific overt act against the petitioners in the First Information Report. They are not named in the First Information Report.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Rauta P.S. Case No. 21 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 Additional Chief Judicial Magistrate-II, Purnea**, 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) 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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