

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55597 of 2017

Arising Out of PS.Case No. -113 Year- 2017 Thana -RAGHUNATHPUR District- SIWAN

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1. Sarfuddin Miyaan, Son of Aziz Miyan,
2. Jainuddin Miyaan S/o Aziz Miyan,
3. Rahamuddin Miyaan S/o Aziz Miyaan,
4. Salmuddin Miyaan S/o Aziz Miyaan,
5. Makina Khatoon D/o Aziz Miyaan,
6. Naim Khan S/o Late Bahadur khan, All R/o Village- Sahimpur, P.S.- Raghunathpur, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ramchandra Sahni

For the Opposite Party/s : Mr. Sri Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 23-11-2017

Heard learned counsel for the petitioners and the State.

At the very outset, counsel for the petitioners has submitted that during pendency of this petition, petitioner Nos. 1, 2 & 3 have already been arrested. Accordingly, prayer for anticipatory bail on behalf of petitioner Nos. 1, 2 & 3 is dismissed as withdrawn.

So far as rest petitioners are concerned, they apprehend arrest in Raghunathpur P.S. Case No. 113 of 2017 instituted for the offence under Sections-147, 149, 341, 323, 341, 504 of the Indian Penal Code.

There is allegation in the written report that total 8 accused persons assaulted the informant and her son with lathi, danda on the head.



The injury report of the informant is enclosed as Annexure-2 wherein the doctor has found one lacerated wound on the scalp caused by hard and blunt substance and injury on the persons of the injured was found to be simple in nature

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioner Nos. 4, 5 & 6 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 Raghunathpur P.S. Case No. 113 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Siwan 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) petitioner Nos. 4, 5 & 6 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 Nos. 4, 5 & 6 and (3) if petitioner Nos. 4, 5 & 6 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 petitioner Nos. 4, 5 & 6.

(Sanjay Priya, J)

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