

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53549 of 2017

Arising Out of PS.Case No. -238 Year- 2017 Thana -ARARIA District- ARRARIA

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1. Md. Idrish @ Idrish, Son of Mangan Rai
2. Annu @ Md. Annu, Son of Md. Israyeel @ Israyeel
Both are Resident of Village-Majkuri Ward No. 5, Rajokhar Police Station
Araria (Araria R.S.-O.P.), District Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rama Nand Poddar, Advocate.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 06-12-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Araria (R.S)**
P.S. Case No. 238 of 2017 instituted for the offence under
Sections 147, 148, 149, 341, 342, 323, 324, 325, 307, 354, 380,
504 and 506 of the Indian Penal Code.

There is allegation against petitioner No. 1 of
assaulting son of the informant Md. Kabul with Farsa causing
injury in his hand and on his left ear. It is further alleged that on
the order of petitioner No. 1, petitioner No. 2 assaulted another
son of the informant Md. Arshad on his head with iron rod on
account of which he became unconscious.



The counsel for the petitioner has submitted that matter has been compromised between the parties. It has further been submitted that other co-accused persons with similar allegation have been granted anticipatory bail by a coordinate Bench of this Court vide order dated 01.12.2017 passed in Cr. Misc. 49959 of 2017.

Case diary has been received.

Learned A.P.P. has submitted that in the case diary both injuries have been mentioned in paragraphs- 14 and 15 and final opinion is mentioned in paragraphs 26 and 27 wherein the Doctor has found simple injuries on the person of the injured.

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 **Araria (R.S) P.S. Case No. 238 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 Chief Judicial Magistrate, Araria**, 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.

S.Ali/-

(Sanjay Priya, J)

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