

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.56775 of 2017

Arising Out of PS.Case No. -142 Year- 2014 Thana -SIMRIBAZAR District- DARBHANGA

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1. Sabir Hussain @ Sabir S/o Md. Azmat Hussain @ Azmat Hussain
2. Md. Akbar @ Akbar, S/o Late Md. Yaquoob
3. Zeyaul Hassan @ Md. Zaul Hasan, S/o Late Md. Hassan Raza @ Hassan, All residents of Village- Arai, P.S.- Simri, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan No.Ii

For the Opposite Party/s : Mr. Sri Shailendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 01-12-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Simri P.S. Case No. 142 of 2014 instituted for the offence under Sections-307, 379 & other minor Sections of the Indian Penal Code.

It is alleged in the written report that on the date of occurrence, all these petitioners armed with sword, hockey stick and pistol arrived and caused injury to the informant on different parts of body as mentioned in the written report.

It has been submitted that there is case and counter case between the parties. The mother in law of petitioner No. 2 has filed Simri P.S. Case No. 141 of 2014 against the informant and his family members.

The injury report of the injured has been annexed as



Annexure-5 wherein the doctor has found all the injuries to be simple in nature.

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 in Simri P.S. Case No. 142 of 2014 to the satisfaction of learned Additional Chief Judicial Magistrate-V, Darbhanga 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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