

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45020 of 2017

Arising Out of PS.Case No. -179 Year- 2017 Thana -JOKIHAT District- ARRARIA

- =====
1. Ashok Kumar Biswas @ Ashok Biswa, Son of late Vidyanand Biswas
 2. Sanjay Biswas @ Sanjay Kumar Biswa, Son of late Vidyanand Biswas
 3. Mithilesh Biswas @ Mithu @ Mithu Biswas @ Mithlesh Biswa, Son of late Vidyanand Biswas
 4. Balram Biswas @ Balram Biswa, Son of late Dayanand Biswas
 5. Manoj Biswas, Son of late Dayanand Biswas
 6. Faninath Biswas @ Fninath Biswas, Son of Hira Lal Biswas
 7. Namunath Biswas, Son of Hira Lal Biswas
 8. Amit Biswas @ Amit Biswa @ Pintu, Son of Balram Biswas
- All are residents of Village- Tekni, Police Station- Jokihat (Mahalgaon), District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana, Advocate
For the Opposite Party/s : Mr. Harendra Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 03-10-2017 It has been submitted that petitioner No. 6 namely, Faninath Biswas @ Fninath Biswas, son of Hiral Lal Biswas has already been arrested and, hence, his prayer for anticipatory bail has become infructuous.

The prayer for anticipatory bail against petitioner No. 6 is dismissed as having become infructuous.

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Jokihat



(Mahalgaon) P.S. Case No. 179 of 2017 instituted for the offence under Sections 341, 323, 324, 307, 354B, 379, 427, 447, 504 and 506/34 of the Indian Penal Code.

In the written report there is specific allegation against co-accused Ajay Biswas of assaulting the informant with iron rod causing fracture injury in his right leg. There is general and omnibus allegation against these petitioners.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner Nos. 1, 2, 3, 4, 5, 7 and 8 namely, Ashok Kumar Biswas @ Ashok Biswa, Sanjay Biswas @ Sanjay Kumar Biswa, Mithilesh Biswas @ Mithu @ Mithu Biswas @ Mithlesh Biswa, Balram Biswas @ Balram Biswa, Manoj Biswas, Namunath Biswas and Amit Biswas @ Amit Biswa @ Pintu, is allowed. In the event of surrender/arrest of the petitioner Nos. 1, 2, 3, 4, 5, 7 and 8, named above, within six weeks from today, in connection with Jokihat (Mahalgaon) P.S. Case No. 179 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, 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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