

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19027 of 2017

Arising Out of PS.Case No. -11 Year- 2017 Thana -KHUTAUNA District- MADHUBANI

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Md. Anwarul, Son of Late Md. Salem, resident of village- Ekdara, Police Station Khutauna Distt.-Madhubani

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Md. Soban Asghar, Advocate

For the Opposite Party/s : Mr. Murlidhar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 01-07-2017 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in Khutauna P.S.

Case No. 11 of 2017 (G.R. No. 150 of 2017) instituted for the offence under Sections 147, 148, 149, 341, 323, 342, 324, 325, 307, 332, 353, 388, 504 and 506 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that there is general and omnibus allegation against him. He has informed the police about encroachment of his land by other accused persons. The police has implicated the petitioner also in this case along with other accused persons. The petitioner is a teacher in the Government school.

From perusal of the written report it appears that this petitioner informed the police that some persons were constructing



the house on his land, the informant reached there and found the accused persons including this petitioner assaulted the driver of the Jeep Uttam Kumar Yadav and also assaulted other police personnel as named in the written report.

In this manner, there is general and omnibus allegation against this petitioner.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Khutauna P.S. Case No. 11 of 2017, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, IIIrd, Jhanjharpur, Distt. Madhubani, 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) petitioner 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 and (3) if petitioner tampers 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.

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(Sanjay Priya, J)

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