

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41328 of 2017

Arising Out of PS.Case No. -165 Year- 2017 Thana -BARSOI District- KATIHAR

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1. Sahid, son of Md. Majrul,
2. Fayik, Son of Late Kalu.
Both residents of Village- Balupara, Police Station- Barsoi, District-
Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-09-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in Barsoi P.S.

Case No. 165 of 2017 instituted for the offence under Sections
147, 148, 149, 349, 341, 323, 506, 302 and 427 of the Indian
Penal Code.

It has been submitted that there is specific allegation
against accused Md. Haiyul and Azad of assaulting the husband of
the informant, due to which, he died.

There is allegation against petitioner No. 1 that he
assaulted the son of the informant namely, Meraj with lathi. There
is no specific allegation against petitioner No. 2.



In such circumstances, 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 Barsoi P.S. Case No. 165 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, Katihar, 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.

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(Sanjay Priya, J)

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