

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52422 of 2017

Arising Out of PS.Case No. -97 Year- 2017 Thana -BACHHWARA District- BEGUSARAI

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1. MD. NOOR HASAN @ MD.NOOR HUSSAIN, S/o Late Md. Barik,
2. Md. Nadeem S/o Late Md. Barik,
3. Md. Maqbool @ Maqbool, S/o Late Md. Barik,
4. Md. Tanvir S/o Md. Jabbar, All are the R/o Village- Jahanpur, P.S.-
Bachhwara, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha

For the Opposite Party/s : Mr. Sri Atul Chandra

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 09-11-2017 Heard learned counsel for the petitioners as well as the

State.

The petitioners apprehend their arrest in Bachhawara
P.S. Case No. 97/2017 instituted for the offences under Sections 341,
323, 308/ 34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that
there is case and counter case between the parties. In fact, the
informant had become aggressor and prior to filing of the instant
case the petitioner no. 1 had filed Bachhawara P.S. Case No. 96/2017
against the informant and others, in which petitioner no. 1 had
sustained injury. Thereafter, the instant case has been filed, in which
it is alleged that the accused persons assaulted the informant and



other family members with *Kudal*. It appears that there is land dispute between the parties and for which there is case and counter case.

Considering the facts and circumstances of the case, the 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 Bachhawara P.S. Case No. 97/2017, 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 the learned Additional Chief Judicial Magistrate VI, Begusarai, subject to the conditions as laid down under Section 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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