

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.57934 of 2017

Arising Out of PS.Case No. -2499 Year- 2015 Thana -KATIHAR COMPLAINT CASE District-
KATIHAR

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1. Abdus Samad son of Late Sayeed Ali.
2. Bibi Aklema wife of Abdus Samad.
3. Md. Matibur Rahman, son of Abdus Samad.
4. Md. Mojibur @ Md. Mojibur Rahman son of Abdus Samad.
5. Md. Wahid @ Abdul Wahid, son of Qaiyum Ansari.
6. Bibi Phulwas, wife of Khurshed.
7. Bibi Nebas, wife of Imam Hussain. Petitioners no. 1 to 5 are Resident of Village- Hasanpur Seiz Tola, P.S.- Barari, District- Katihar and Petitioner no. 6 is Resident of Village- Balua Usri Tola and petitioner no. 7 is Resident of Village- Danipur, Both P.S.- Rautara, District- Katihar.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Md. Ishaque, son of Md. Mohiuddin, Resident of Village- Baluwa Ushri, P.S.- Barari, District- Katihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Musowir, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 11-12-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in C.A. Case No. 2499 of 2015 instituted for the offence under Sections 302,120(B),201 of the IPC.

Counsel for the petitioner has submitted that the petitioners are family members of the husband of the deceased. It is alleged in the written report that the daughter of the informant went to collect fire-wood and did not return home. On the next morning the informant came to know that the dead body of his daughter is lying on railway track. It has been submitted that in UD case the informant has clearly stated that there is no hand of



any person in connection with the murder of his daughter. He further submits that the police submitted final form. Thereafter, on the basis of protest petition, cognizance has been taken.

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 bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with C.A. Case No. 2499 of 2015 to the satisfaction of learned A.C.J.M.-V, Katihar 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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioners and (3) if the petitioners 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 petitioners.

(Sanjay Priya, J)

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