

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16490 of 2017

Arising Out of PS.Case No. -38 Year- 2016 Thana -KATEYA District- GOPALGANJ

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1. Nazara Khatoon @ Baby Khatoon, wife of Mustaque Ansari,
2. Rabddin Ansari @ Rabdin Ansari, son of Bhoj Ansari,
3. Mofil Mian, son of Akalu Mian,
4. Samsul Mian, son of Raj Mohammad Mian,
5. Kalamddin Mian, son of Nabi Mian,

All 1 to 5 resident of Village- Batal Chorahan @ Batal Churaha, P.S.-
Kateya, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey No-5, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 19-07-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Kateya P.S. Case
No. 38 of 2016 (G.R. No. 482 of 2016) instituted for the offence under
Sections 147, 148, 149, 341, 323, 337, 338, 307, 397, 504, 506 and
120B of the Indian Penal Code.

It has been submitted on behalf of the petitioners that
petitioners are said to be the members of unlawful assembly. There is
no specific allegation against the petitioners of assaulting the police
party. The other co-accused persons with similar allegation have
already been granted anticipatory bail by coordinate Benches of this
Court vide order dated 9.5.2016, 14.7.2016, 10.5.2016, 26.7.2016,
4.8.2016 and 1.9.2016 passed in Cr. Misc. Nos. 16359 of 2016, 25761



of 2016, 18041 of 2016, 28608 of 2016, 30895 of 2016 and 26809 of 2016 respectively.

Considering the facts and circumstances of the case, 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 Kateya P.S. Case No. 38 of 2016 (G.R. No. 482 of 2016), 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, Gopalganj, 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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