

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25855 of 2017

Arising Out of PS.Case No. -542 Year- 2016 Thana -KISHANGANJ District- KISANGANJ

- =====
1. Md. Gufran Hussain @ Gufran Hussain @ Md. Gufran, son of Aminuddin.
 2. Zamerul @ Md. Zamerul, son of Hasibuddin
- All resident of Fulbast Mahigaon Jhuljhuli, P.S. Kishanganj, Distt. Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar
2. Md. Mobin, son of late Abdul Jalil, resident of village Fulbasti, P.S. Kishanganj, Distt. Kishanganj.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brajesh Kumar, Advocate.
For the Opposite Party/s : Mr. Ashok Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 01-07-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Kishanganj P.S.

Case No. 542 of 2016 instituted for the offence under Sections 419, 420, 329, 504 and 34 of the Indian Penal Code.

A supplementary affidavit filed today stating therein that a compromise petition has been filed by the petitioner and the informant of the present case in the court of learned Chief Judicial Magistrate, Kishanganj, be kept on the record.

It has been submitted on behalf of the petitioners that petitioner No. 1 is only the witness on the sale deed dated 26.8.2016 while the petitioner No. 2 has no concern with the aforesaid sale deed.

The purchaser of the land Rahima Khatoon has also filed a case vide Kishanganj P.S. Case No. 527 of 2016 against the petitioners



and others.

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 Kishanganj P.S. Case No. 542 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, Kishanganj, 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)

