

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33916 of 2017

Arising Out of PS.Case No. -24 Year- 2017 Thana -POWAKHALI District- KISANGANJ

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1. Kacchu @ Md. Nazir Hussain, son of Ainuddin, r/o village-Tarabari, P.S.-Garbandanga, District- Kishanganj,
 2. Quaiyum, son of late Mahiuddin, r/o village-Mirbhitta, P.S.-Powakhali, District-Kishanganj, &
 3. Quarban @ Quarban Ali, son of Bahruddin, resident of village-Mirbhitta, P.S.-Powakhali, District-Kishanganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 20-07-2017

Heard learned counsel for the Petitioners and the State.

The Petitioners apprehend their arrest in Powakhali P.S. Case No.24 of 2017 instituted for the offence under Section(s) 384/34 Indian Penal Code.

In the written report, it is alleged that Md. Rais Azam and others have filed an application before the Circle Officer, Thakurganj, stating that these petitioners and other accused persons are extorting illegal money from the vehicles near the diversion.

It has been submitted on behalf of the petitioners that the names of these petitioners have not been disclosed by any



of the vehicle owner alleging that they have extorted money. It has further been submitted that during investigation the police did not receive any complaint either from any driver or owner of the vehicle about extorting money by these petitioners. Petitioners are doing sand business and due to village politics they have been implicated.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Powakhali P.S. Case No.24 of 2017, they shall be released on anticipatory bail on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the 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.

(Sanjay Priya, J)

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