

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43885 of 2017

Arising Out of PS.Case No. -8 Year- 2016 Thana -TARABARI District- ARRARIA

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1. Hasib, Son of Late Habroo,
2. Hadisa, Wife of Hasib,
Both resident of Village- Balwat Tola Nab Toli, Police Station- Tarabari,
District- Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anamul Haque, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 03-10-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Tarabari P.S.

Case No. 08 of 2016 instituted for the offence under Sections 147, 148,
341, 323, 504, 354(B) and 149 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that although there is allegation against petitioner No. 1 that he assaulted the informant with leg causing miscarriage of pregnancy of four months, there is no medical evidence. The police after investigation, submitted charge sheet under Section 354(B) and other allied Sections of Indian Penal Code.

The case has already been compromised between the parties, copy of which, has been annexed as Annexure-2. There is general and omnibus allegation against petitioner No.2.



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 Tarabari P.S. Case No. 08 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 Sri Sanjeev Kumar-II, learned Additional Chief Judicial Magistrate-V, Araria, 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.

S.Ali/-

(Sanjay Priya, J)

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