

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57506 of 2017

Arising Out of PS.Case No. -76 Year- 2017 Thana -AMBA District- AURANGABAD

- =====
1. Nisar Hussain @ Nesar Hussain, S/o Imadad Hussain,
 2. Badshah Hussain S/o Imdad Hussain,
 3. Garib Nawaz @ Garib Nawah Hussain S/o Nisar Hussain,
- All are R/o Village- Raham Bigha, P.S.- Amba, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate.

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-12-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Amba P.S. Case No. 76 of 2017** instituted for the offence under Sections 341, 323, 504 and 307/34 of the Indian Penal Code.

There is allegation in the written report that all the petitioners assaulted the informant and his brother with lathi, Bhala etc. The injury report has been enclosed as Annexure-2 series. From the injury report of the informant it appears that none of the injuries were found on the vital part of the body.

It has been submitted that petitioners and informant are Gotiya. It has further been submitted that there is case and



counter case between the parties. A counter case has been filed by petitioner No. 1 against the informant vide Amba P.S. Case no. 77 of 2017.

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 **Amba P.S. Case No. 76 of 2017**, 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, Aurangabad**, 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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