

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1795 of 2017

Arising Out of PS.Case No. -276 Year- 2016 Thana -BARARI District- KATIHAR

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1. Abdul Matin, S/o Late Hannan Ali,
2. Md. Sabir @ Md. Sabbir, S/o Abdul Matin
Both are R/o Chhoti Kacchua, P.S.- Barari, Distt- Katihar.
..... Petitioners

Versus

The State of Bihar
..... Opposite Party

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Appearance :

For the Petitioners : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party : Mr. Uday Chand Prasad (APP)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 25-01-2017 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in Barari P.S.

Case No. 276 of 2016 instituted for the offence under Sections
420, 406, 323, 379, 307, 436 of the Indian Penal Code.

It has been submitted on behalf of the petitioners
that other co-accused has been granted anticipatory bail by the
learned Sessions Judge himself and prayer for bail of these
petitioners was rejected on the ground that there is specific
allegation against them.

The instant case has been registered on the basis of
the complaint petition which has been filed by the complainant,
which was sent to the police station. There is allegation against
these petitioners in para-10 of the complaint petition that petitioner
no.1 gave order and petitioner no.2 set the house of the informant



on fire.

It has been pointed out by the learned counsel for the petitioners that alleged date of occurrence as mentioned is 20.09.2015 to 10.09.2016 but in the complaint petition, no specific date has been mentioned when the aforesaid occurrence was caused. The counsel for the petitioners has further submitted that the complaint has been filed on 20.09.2016 after delay of about one year. He has further submitted that case has now been compromised between the parties. The compromise petition has been filed in the lower court which is Annexure-2 in this bail petition. In the circumstances, prayer of the petitioners for anticipatory bail is allowed.

In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Barari P.S. Case No. 276 of 2016, they shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-V, Katihar, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Sanjay Priya, J.)

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