

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29732 of 2017

Arising Out of PS.Case No. -106 Year- 2017 Thana -CHAINPUR District- BHABHUA (KAIMUR)

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1. Shahnawaz Khan, son of Alamgir Khan,
2. Alamgir Khan, son of Late Gulam Pir Khan,
3. Saddam Khan @ Sadam Khan, son of Idrish Khan,
4. Danish Khan, son of Idrish Khan,
5. Laddan Khan, son of Idrish Khan,
6. Hashib Khan, son of Jainul Khan,

All resident of Village- Bari Takiya, P.S.- Chainpur, District- Kaimur at Bhabua.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate
For the Opposite Party/s : Mr. Khurshid Anwar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 07-07-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Chainpur P.S.
Case No. 106 of 2017 instituted for the offence under Sections 147,
148, 149, 341, 323, 307, 504 of the Indian Penal Code and Section 27 of
the Arms Act.

It has been submitted on behalf of the petitioners that the
specific allegation of causing firearm injury in the leg of the informant
is against co-accused Saheb Zaman Khan @ Pathan.

The injury report has been enclosed as Annexure-2
wherein the Doctor has found firearm injury in the leg of the informant.

From the written report, there is no allegation of any



specific overt act against the petitioners.

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 Chainpur P.S. Case No. 106 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, Kaimur at Bhabua, 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)

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