

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55457 of 2017

Arising Out of PS.Case No. -259 Year- 2017 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

=====

1. Sk. Aliraj @ Shekh Aliraj S/o Shekh Sattar
2. Shekh Seraj @ Shekh Sairaj S/o Sk. Aliraj @ Shekh Aliraj Both residents
of village - South Telhua, P.S. - Nautan, District - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Sri Madan Kumar

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 18-12-2017

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Nautan P.S. Case No. 259 of 2017 instituted for the offence under Sections-307, 379, 354B & other minor Sections of the Indian Penal Code, in which, later on Section-302 of the Indian Penal Code was also added.

In the written report, there is specific allegation against Sk. Kawal and Sk. Mojamil of committing overt act and assaulting the deceased.

These petitioners are only alleged to be members of unlawful assembly. It is also submitted that there is case and counter case between the parties. For the same date of occurrence, Nautan P.S. Case No. 260 of 2017 has been registered against the informant and others from the side of the petitioner.



Counsel for the informant has appeared and opposed the prayer.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with in Nautan P.S. Case No. 259 of 2017 to the satisfaction of learned Chief Judicial Magistrate, West Champaran, Bettiah subject to condition as laid down u/S 438(2) of the 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)

A.K.V./-

U		T	
---	--	---	--

