

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.16976 of 2017

Arising Out of PS.Case No. -149 Year- 2015 Thana -PIRPAINTI District- BHAGALPUR

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1. Md. Rahish Son of Md. Firoz
2. Md. Sahish Son of Md. Firoz
3. Md. Rikun @ Takun @ Md Rashid Son of Md Firoz
4. Md. Jafar Firoz @ Jakir @ Md Jakhir Son of Md Irfan
5. Bibi Sahana @ Bibi Sahan Wife of Md Firoz
6. Nasrin @ Nasrin Khatoon Daughter of Md Firoz
7. Bibi Sabrin @ Sabrin Daughter of Md Firoz All are residents of Village - Pirpainti Bazar, P.S. - Pirpainti, District - Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharendra Nath Jha

For the Opposite Party/s : Mr. Sri Manish Kumar 2

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 15-05-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Pirpainty P.S.

Case No. 149 of 2015 instituted for the offence under Section-307

& other minor sections of the Indian Penal Code.

As per allegation in the written report, all the petitioners assaulted the informant and his family members with Lathi and iron rod due to which, the informant and his family members sustained head injury. The injury report of all the three injured have been annexed as Annexure-4 which shows that there is no repetition of blow on any vital part of the body by the accused persons. Moreover, there is no specific allegation against any of the accused persons of assaulting the prosecution party. There is general allegation that all the petitioners assaulted



the informant and his family members.

In such circumstances, prayer for anticipatory bail is allowed 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 Pirpainty P.S. Case No. 149 of 2015 to the satisfaction of learned Sub Divisional Judicial Magistrate, Bhagalpur 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)

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