

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45552 of 2017

Arising Out of PS.Case No. -39 Year- 2015 Thana -TEDHAGACHH District- KISANGANJ

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1. Nauzer Alam @ Md. Nauzeer Alam, S/o Tahmid Alam, R/o Kharra Belwa, P.S. Teragachh, District- Kishanganj,
 2. Govind Kumar Sah, S/o Ajeet Sah @ Uchit Lal Sah, Resident of Village- Shisgachhi, P.S.- Terragacch, District- Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Sinha, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 31-10-2017 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in Terragacch P.S. Case No. 39 of 2015 instituted for the offence under Sections 341, 342, 186, 353, 189, 190, 386, 323, 504 and 34 of the Indian Penal Code.

It has been submitted on behalf of the petitioners that petitioner No. 1 runs NGO in the name of Young Anti Corruption Society. Petitioners after receiving the complaint by the villagers have entered into the school premises to verify about irregularities which have been complained against the school authority. Counsel for the petitioner has also pointed out Annexure-3 which is public



petition along with affidavit filed before the Superintendent of Police, Kishanganj, disclosing all the fact and also about false implication of this petitioner.

The informant who is the Headmaster of the school has filed the instant case just to protect his skin as petitioner No. 1 runs N.G.O. and had gone to enquire into various irregularities in the school.

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 Terragacch P.S. Case No. 39 of 2015, 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, Kishanganj, 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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