

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38168 of 2017

Arising Out of PS.Case No. -15 Year- 2017 Thana -GARBHANDANGA District- KISANGANJ

- =====
1. Rehana Khatoon @ Rehana wife of Md. Aslam, resident of village – Ichamari, PS-Garbhandanga, District-Kishanganj.
 2. Rozi wife of Md. Naushad Alam, resident of village - Ichamari, PS-Garbhandanga, District-Kishanganj.
 3. Mr. Ahsan @ Md. Ahsan Alam son of Jubair Alam, resident of Satbhitta, PS-Kochadhaman, District Kishanganj and
 4. Akhtar Hussain son of Giyasuddin,. resident of village –Ichamari, PS-Garbhandanga, District-Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar and
2. Rahman Ansari, Station House Officer, Garbhandanga, District-Kishanganj.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Agrawal, Adv.

For the Opposite Party/s : Sri Atul Chandra, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 18-08-2017 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners apprehend their arrest in connection with Garbhandanga P.S. Case No. 15 of 2017 registered on 26.05.2017 for the offences under sections 224 and 225 of the Indian Penal Code and later on, section 353 of the Indian Penal Code has been added on 13.06.2017.

Allegation against these petitioners, is that they facilitated one of the accused, who was apprehended by the Police, in fleeing away from the custody of Police.

The learned counsel for the petitioners submits that



initially a case was registered for the offences under sections 224 and 225 of the Indian Penal Code, but the Police, in order to make offence non-bailable without any ingredients, added section 353 of the Indian Penal Code in the FIR. The allegation against these petitioners is vague and so, they deserve anticipatory bail.

The learned Additional Public Prosecutor on the other hand, opposed the submission.

Considering the nature of allegation, facts and circumstances, as stated above, this application for anticipatory bail is allowed.

Let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-III, Kishanganj in connection with Garbhandanga P.S. Case No. 15 of 2017, subject to the condition as laid down under Section 438 (2) of the Criminal Procedure Code.

(Sanjay Kumar, J)

Mahesh/-

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

