

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9126 of 2018

Arising Out of PS.Case No. -200 Year- 2017 Thana -DARBHANGA SADAR District-
DARBHANGA

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1. ABDUL WAHAB KHAN Son of late Iltaf Hussain Khan
2. Ekhlaque Ahmad Khan Son of late Fazlu Khan
3. Nazmul Islam Khan Son of Ekhlaque Ahmad Khan All Resident of
Nainaghat, P.S. Sadar, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Neeraj Kumar Gupta

For the Opposite Party/s : Mr. Sri Aditya Narayan Singh 1

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 23-03-2018 Heard learned counsel for the petitioners as well as the
State.

The petitioners apprehend their arrest in connection with
Sadar P.S. Case No. 200/2017 instituted for the offences under Sections
447, 341, 323, 324, 325, 379, 307 and 504/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that the
instant case is counter blast of Sadar P.S. Case No. 191/2017, filed by
petitioner no. 1 on 14.05.2017 against the informant and others. The
present case has been lodged by the informant after delay of five days.

From the written report, it appears that there is land
dispute between the parties. The injury report of the informant is
enclosed. The doctor has found simple injury on the person of the
informant. It is alleged in the written report that petitioner no. 1 had
given order to kill the informant, on which petitioner no. 3 came with



Astura. Petitioner no. 2 is alleged to have caught hold the informant from back and made him fall on the ground and petitioner no. 3 sat on the chest of the informant.

Considering the facts and circumstances of the case, the 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 Sadar P.S. Case No. 200/2017, 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 the learned Chief Judicial Magistrate, Darbhanga, subject to the conditions as laid down under Section 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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