

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3239 of 2018

Arising Out of PS.Case No. -699 Year- 2015 Thana -MUZAFFARPUR TOWN District-
MUZAFFARPUR

- =====
1. Nobul @ Abu Talib Hussain, son of Mukhtar Hussain, resident of Mohalla- Kamra, P.S.- Town, District- Muzaffarpur,
 2. Muntazir Imam @ Kunni, son of Haider Imam, resident of Mohalla- Nawab Road, P.S. Town, District- Muzaffarpur,
 3. Zahid @ Zahid Hussain, son of Nesar Ahmad, resident of Mohalla- Kamra, P.S.- Town, District- Muzaffarpur,
 4. Mintu @ Iqbal Jahoor, son of Tuntun @ Manzoor Hussain, resident of Mohalla- JKamra, P.S.- Town, District- Muzaffarpur,
 5. Syed Sabir Hussain Naqvi @ Chhotu, son of Ali Ameer, resident of Mohalla- Kamra, P.S.- Town, District- Muzaffarpur,
 6. Shabbier Hussain @ Shabbier Hussain Naqvi, son of Munnu Hussain @ Syed Ali Amera, resident of Mohalla- JKamra, P.S.- Town, District- Muzaffarpur.
 7. Nazim Hussain, son of Late Karrar Hussain, resident of Mohalla- Data Kambal Shah, P.S. Town, District- Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rashid Izhar, Advocate

For the Opposite Party/s : Mr. Sri Arun Kumar Pandey, APP

Mr. Neeraj Kumar alias Sanidh, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 29-03-2018

Heard learned counsel for the petitioners and learned

APP for the State as well as counsel for the informant.

Petitioners apprehend their arrest in **Town P.S. Case No.699 of 2015** instituted for the offence under Section(s) 147, 149, 323, 341, 504, 364, 511 Indian Penal Code and Section 27 of the Arms Act.

It is alleged in the written report that on the date of occurrence the petitioners attempted to abduct the informant by a



car.

Counsel for the petitioners has submitted that the informant is *Mutawalli* of the property and he is trying to sell the *waqf* land. These petitioners are raising objection for such act of the informant. Therefore, the informant has filed false case against the petitioner. The informant earlier also lodged Town P.S. Case No.636 of 2015, in which the petitioners have already been granted anticipatory bail by this Court by order dated 19.02.2018 passed in Cr. Misc. No.5993 of 2018.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Town P.S. Case No.699 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 the **Chief Judicial Magistrate, Muzaffarpur**, 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 their absence on two consecutive dates



without proper and reasonable reason will be liable to cancel their bail bonds 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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