

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15473 of 2018

Arising Out of PS.Case No. -250 Year- 2017 Thana -BAUSI District- PURNIA

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1. Md. Sadique @ Sadique, son of Md. Faruque,
 2. Waris, son of late Anwarul,
 3. Faruque @ Md. Faruque, son of late Anwarul, all of village-Masnadpur,
Sugwa Mahanandpr, P.S.-Baisi, District-Purnea

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Jha, Advocate

For the Opposite Party/s : Mr. Satyavarat Verma, APP

For the Informant : Mr. Pramod Kumar Mallick, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 06-04-2018

Heard learned counsel for the petitioners and learned

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

Petitioners apprehend their arrest in **Baisi P.S. Case No.250 of 2017** instituted for the offence under Section(s) 147, 148, 149, 341, 323, 324, 307, 379, 427, 302 Indian Penal Code and Section 27 of the Arms Act.

Counsel for the petitioners submits that there is general and omnibus allegation against the petitioners.

In the written report, there is specific allegation against co-accused Sanfaraz and Shahabuddin of dragging the husband of the informant from the shop and assaulting as well as snatching rupees two thousand from the pocket. There is further allegation that other accused persons also assaulted with iron rod.



Son-in-law of the informant, Md. Ejaj, and brother-in-law, Md. Ansar, were also assaulted causing injury to Md. Ejaj. It is further alleged that Md. Mustakim assaulted Ansar with Farsa on the head causing serious injury and he fell down. Thereafter, co-accused, Shahid, fired from country made pistol.

Counsel for the informant has appeared and opposed the prayer for bail.

In this manner, there is general and omnibus allegation against the petitioners.

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 **Baisi P.S. Case No.250 of 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 **Chief Judicial Magistrate, Purnea**, 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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