

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10358 of 2018

Arising Out of PS. Case No.-108 Year-2016 Thana- COMPLAINT CASE District- Araria

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1. Md. Noorul, Son of Late Md. Turai,
 2. Md. Hasbul, Son of Md. Noorul,
 3. Md. Sarfaraj, Son of Md. Noorul,
 4. Md. Subed, Son of Md. Noorul,
 5. Bibi Gulshan, Wife of Md. Anwar, daughter of Md. Noorul,
Resident of Village- Pulha, Navtoliya, P.S.- Narpatganj, Dist.
Araria.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. Md. Abbas, Son of Late Md. Yusuf, Resident of Village- Choura Perwaha,
Bhag Kohaliya, P.S.- Forbesganj, Dist.- Araria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ramesh Kumar Singh
For the Opposite Party/s : Mr. Sri Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 11-04-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in complaint case no.
108 C of 2016 instituted for the offence under Section(s) 364,
and 120B/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that petitioner
no.1 is the father-in-law, petitioner no.5 is wife and other
petitioners are in-laws of the son of the complainant, namely
Anwar. It is further submitted that statement of the brother of
the deceased has been recorded in para 35 of the case diary
wherein he has stated that deceased died natural death and his



cremation was done in Delhi itself. The police after investigation submitted final form showing the petitioners as innocent but the cognizance has been on the basis of the protest petition.

Learned counsel for the complainant appeared and opposed the prayer.

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 complaint case no. 108 C of 2016, 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 SDJM, Araria, 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.

(Sanjay Priya, J)

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