

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8841 of 2018

Arising Out of PS.Case No. -716 Year- 2017 Thana -NATHNAGAR District- BHAGALPUR

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1. Amar Sah,
2. Roshan Sah @ Roshan Kumar @ Roshan Sha, Both sons of Karu Sah,
3. Santosh Sah @ Santosh Sha, son of Naresh Sah, All residents of Village-
Rampur Khurd, Police Station- Madhusudanpur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Syed Masleh-Uddin Ashraf

For the Opposite Party/s : Mr. Smt. Nirmala Kumari

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 06-03-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Nathnagar (Madhusudanpur) P.S. Case No. 716 of 2017 instituted for the offence under Sections 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

It is alleged in the written report that while the informant was returning towards his house by bicycle, three persons came on a motorcycle and made firing from back which hit the left buttock of the informant. It is alleged that when the informant moved back, he saw that all the three petitioners were sitting on the motorcycle. Petitioner no. 3 was driving the motorcycle. Petitioner no. 2 was having one country made katta in his hand and petitioner no. 1 was sitting back. They were also trying to make second round firing. Case diary has been



received. Doctor has found one simple injury caused by firearm.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners named above in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Nathnagar (Madhusudanpur) P.S. Case No. 716 of 2017 to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur subject to condition as laid down u/S 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 petitioner 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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