

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10137 of 2018

Arising Out of PS. Case No.-68 Year-2017 Thana- DIGHALBANK District- Kishanganj

1. Chand Mohammad Son of late Riyajuddin Resident of Village Kutuba Bodh, P.S. Dighal Bank, District- Kishanganj.
2. Md. Wazir Alam Son of Abdul Mukim Resident of Village- Hari Bhitha, P.S. Dighal Bank District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh kumar
For the Opposite Party/s : Mr. Nawal Kishore Prasad APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 22-02-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in Dighal Bank P.S. case no. 68 of 2017 instituted for the offence under Section(s) 147, 149, 341, 323, 324, 353, 364, 379 and 504 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that there is general and omnibus allegation against these petitioners. In the written report it is alleged that informant got information that large number of people have gathered on the India Nepal border for smuggling of cattle and informant reached at the place of occurrence and 10-15 cattle were brought by four to five persons and when the informant stopped them then the



accused persons committed mar- pit and also snatched the arms of the informant and other police party.

Petitioners are named in the written report. But there is general and omnibus allegation and no allegation of overt act is attributed against these 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 Dighal Bank P.S. case no. 68 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 SDJM Kishanganj, 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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