

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8274 of 2018

Arising Out of PS. Case No.-405 Year-2017 Thana- GOGRI District- Khagaria

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1. Md. Sabil @ Md. Sabir
 2. Nisar @ Md. Nisar
 3. Md. Hasib @ Md. Hasim
 4. Md. Naushad, all sons of Late Tahir, Resident of Village- Dighaun, P.S.- Beldaur, District- Khagaria.
 5. Md. Ahsanui @ Md. Ansanulhaque, S/o- Jasim, Resident of Village- Muslim Tola, Bhorha, P.S.- Beldaur, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Prabhakar Singh, Advcoate
For the Opposite Party/s	:	Mr. Md. Sufiyan, Mr. Thakur Brajesh Singh, Advocate
For the State	:	Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 22-03-2018 Heard learned counsel for the petitioners, learned counsel
for the informant and the State.

The petitioners apprehend arrest in Gogri P.S. Case No.
405 of 2017, instituted for the offence under Sections
385,387,34 of the IPC.

Learned counsel for the petitioners has submitted that the
alleged telephone call for making demand of ransom money was
received on 05.09.2017, but the FIR was lodged on 19.09.2017.
Learned counsel for the petitioners has submitted that there is
land dispute between the parties since prior to lodging this case.
It has been further submitted that prior to lodging this case, the



informant has filed another case against the petitioner vide Beldaur P.S.Case No. 176 of 2017 dated 07.09.2017. The petitioner no. 2 has filed Complaint Case No. 943C of 2010 against the informant in which cognizance has been taken by learned Magistrate under Section 147,385,372 of the IPC by order dated 28.04.2011.

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 bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Gogri P.S. Case No. 405 of 2017, to the satisfaction of the learned Chief Judicial Magistrate, Khagaria, subject to condition as laid down u/S 438 (2) of the Cr. P.C. with further conditions (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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioners and (3) if the petitioners tampers



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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