

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36821 of 2017

Arising Out of PS.Case No. -323 Year- 2016 Thana -PIRBAHOR District- PATNA

- =====
1. Md. Imran @ Imran, S/o- Md. Mumtaj @ Mumtaj
 2. Md. Shamshad @ Hiro, S/o- Md. Mumtaj @ Mumtaj, both are resident of Mohalla-Golakpur, Near Emli tree, P.S.-Pirbahore, Distt.-Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate

For the Opposite Party/s : Dr. Mrityunjaya Kr. Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4/ 12-02-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Pirbahore P.S.**

Case No.323 of 2016 instituted for the offence under Section(s)
307 and other allied sections of the Indian Penal Code.

It is alleged in the written report that the informant had gone to bring his wife, then his mother-in-law abused the informant and told that his wife will not go with him. Thereafter, these petitioners along with other accused, as named in the written report, who are neighbours of mother-in-law of the informant, arrived and assaulted the informant on head causing head injury to the informant.

Injury report of the informant has been annexed as



Annexure-3, which shows that all the injuries were found to be simple caused by hard and blunt substance.

Counsel for the petitioner has further submitted that mother-in-law of the informant, Najo Khatoon, has already been granted anticipatory bail by this Court by order dated 14.07.2017 passed in Cr. Misc. No.32270 of 2017.

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 **Pirbahore P.S. Case No.323 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 **Chief Judicial Magistrate, Patna**, 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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