

Criminal Miscellaneous No.9516 of 2018

Arising Out of PS.Case No. -316 Year- 2017 Thana -KUCHAIKOTE District- GOPALGANJ

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1. Nasrullah Khan @ Chaudhary, Son of Nurhasan,
 2. Safiullah Khan @ Jhunjhun Son of Anwarul Khan,
 3. Jahid Khan, Son of Late Taiyab Khan,
 4. Arif Khan @ Guddu, Son of Jakir Khan, All are resident of village Malhi, P.S.- Kuchaikot, District- Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey
For the Opposite Party/s : Smt. Indu Bala Pandey

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 28-03-2018 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Petitioners apprehend their arrest in Kuchaikot P.S. Case
No.316 of 2017 for the offence under Sections 147, 148, 149, 323,
447, 354, 504, 506 and 379 of I.P.C.

In the instant case allegation against petitioner no.1 is of
assaulting the informant and two others by iron rod. The injury
reports of the injured have been annexed as Annexures-3, 4 and 5.

It has been submitted by the learned counsel for the
petitioners that they have been implicated in this case due to land
dispute. This present case has been filed as a counter blast to



Kuchaikote P.S.Case No.18 of 2018 lodged by petitioner no.3 against the husband and other relatives of the informant. The doctor has found all the injuries to be simple in nature. One injury on Shahid Anwar is pain on right scapular area which was opined as grievous.

Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioners.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. Let four petitioners, above named, in the event of their arrest or surrender before the court below within six weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-VII, Gopalganj, in Kuchaikot P.S.Case No.316 of 2017 subject to the conditions as laid down under Section 438(2) of 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 co-operate 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 bonds



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)

AnilKrSinha/-

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