

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23524 of 2018

Arising Out of PS.Case No. -591 Year- 2017 Thana -SAUR BAZAR District- SAHARSA

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Moti Rahman @ Moti Uraheman @ Md. Moti Urrahman, Son of late Sarfuddin Rahman, Resident of Village Tilathi, Ward No. 13, P.S. Sour Bazar (Patarghat O.P) District- Saharsa.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate.

For the Opposite Party/s : Mr. Arun Kumar Singh -5, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 20-04-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Sour Bazar (Patarghat O.P.) P.S. Case No. 591 of 2017** instituted for the offence under Sections 341, 323, 379, 352, 504, 506, 34 of the Indian Penal Code and Section 25(1-b)A/26 of the Arms Act.

Learned counsel for the petitioner has submitted that there is land dispute between the parties. The co-accused Fajlur Rahman has lodged Sour Bazaar (Patarghat O.P.) P.S. Case No. 590 of 2017 against the informant and others.

In the instant case allegation against the petitioner is that he fired from country made pistol but it did not hit anybody. The country made pistol from which the petitioner fired, was handed over to the police by the villagers and petitioner was not



caught hold of.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Sour Bazar (Patarghat O.P.) P.S. Case No. 591 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Saharsa**, 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) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner 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 petitioner.

(Sanjay Priya, J)

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