

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25526 of 2018

Arising Out of PS.Case No. -117 Year- 2017 Thana -PHULWARIA District- BEGUSARAI

- =====
1. Md. Sabir @ Md. Sabir Hussain, son of Md. Jasim @ Jasimuddin
 2. Md. Mustaque @ Md. Musthaque, son of Md. Kamal
- Both residents of Village- Kadirchak Baro, (Utari), P.S. Phulwaria, District- Begusarai.
3. Md. Irfan, son of Late Md. Allauddin, resident of Village- Baro, Dakshini, Naya Tola, P.S. Phulwaria, District- Begusarai.
 4. Md. Saddam, son of Md. Israfil, resident of Village- Baro, Bazar, P.S. Phulwaria, District- Begusarai.
 5. Md. Babloo, son of Md. Hashim @ Md. Hasim Khalifa @ Botal, resident of Village- Darzi Tola, Baro (Utari), P.S. Phulwaria, District- Begusarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate.

For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 01-05-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Phulwaria P.S. Case No. 117 of 2017** instituted for the offence under Sections 147, 148, 149, 153(A), 353(A), 295(A), 332, 327, 337, 427 of the Indian Penal Code and Sections 3/4 of Explosive Substance Act.

Learned counsel for the petitioners has submitted that petitioner Nos. 1 and 2 are named in the written report. Petitioner



Nos. 3, 4 and 5 are not named in the written report. It has further been submitted that some of named co-accused persons have been granted anticipatory bail by this Court vide order dated 17.01.2018 passed in Cr. Misc. 2404 of 2018.

In the written report there is general and omnibus allegation against the petitioners.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Phulwaria P.S. Case No. 117 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 **Sri Raghubir Prasad, learned Judicial Magistrate, 1st Class, Begusarai**, 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 their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond 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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