

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33073 of 2018

Arising Out of PS.Case No. -257 Year- 2017 Thana -BAUSI District- PURNIA

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1. Muslim @ Md. Muslim
2. Junaid @ Md. Junaid
3. Salauddin @ Md. Salauddin

All 1 to 3 are sons of late Abdul Halim

4. Zubair @ Md. Zubair
5. Mustakim Alam @ Mustaquim

4 to 5 are S/o Muslim

All Resident of Village- Harerampur, Ward No- 12, P.S.- Baisi, District- Purnia.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Mallick, Advocate.
For the informant : Md. Hussain, Advocate.
For the Opposite Party/s : Mr. Harendra Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 11-07-2018 Heard learned counsel for the petitioners, learned
counsel for the informant and the State.

The petitioners apprehend their arrest in **Baisi P.S.**
Case No. 257 of 2017 instituted for the offence under Sections
147, 149, 448, 341, 323, 307, 379 and 504 of the Indian Penal
Code.

Learned counsel for the petitioners has submitted that
petitioners are related to informant by blood. There is dispute
between the parties for homestead land.

The allegation against the petitioners in the written



report is that on the date of occurrence, on the issue of constructing *Chhajja*, they assaulted the informant and his other family members.

Learned counsel for the informant has appeared and opposed the prayer for anticipatory bail of the petitioner.

Case diary has been received.

Learned A.P.P. after looking into the case diary has submitted that the injuries found on the person of the injured to be simple in nature.

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 **Baisi P.S. Case No. 257 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 learned **Chief Judicial Magistrate, Purnia**, 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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