

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61392 of 2017

Arising Out of PS.Case No. -373 Year- 2017 Thana -MUFFASIL District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Saif Ali, S/o Md. Alamgir,
 2. Reyaz @ Reyaz Ahmad S/o Manejar Hussain Sah @ Manager Hussain Shah,
 3. Rezwan @ Md. Rezwan Ansari @ Rezwan, S/o Yasin,
All R/o Mohalla- Baswaria Bich, Ward No.28, P.S.- Bettiah Town, Distt.-
West Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhinay Raj, Advocate.

For the Opposite Party/s : Smt. Veena Rani Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 13-02-2018 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Bettiah Muffasil P.S. Case No. 373 of 2017** instituted for the offence under Sections 302, 201 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

In the written report it is alleged that son of the informant was taken by Zahid Ejaz and Dabloo Mian. Both the aforesaid accused persons told the informant on telephone at 8:30 p.m. night that his son was with him and he will return after some time, but his son did not return. The informant tried to contact him on Mobile but his mobile phone was switched off. In the next



morning, the informant came to know that his dead body was lying near the bridge of Sansaraiya Canal. The informant went there and found the dead body of his son.

Case diary has been received.

Learned A.P.P. has after looking into the case diary submitted that name of these petitioners have come in the confessional statement of co-accused Md. Jahid as recorded in paragraph-32 of the case diary.

Learned counsel for the petitioner has submitted that in the confessional statement of Md. Jahid there is no specific allegation of overt act against these 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 **Bettiah Muffasil P.S. Case No. 373 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, West Champaran, Bettiah**, 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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