

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41208 of 2018

Arising Out of PS.Case No. -89 Year- 2018 Thana -MEERGANJ District- GOPALGANJ

- =====
1. Tahir Hussain, son of late Sobrati Miya,
 2. Safi Alam, son of Basir Hussain,
 3. Aftab Alam @ Aftab Hussain, son of Zakir Hussain,
 4. Samir Alam, son of Tahir Hussain, all are residents of village -
Khairatiya, Police Station - Mirganj, District - Gopalganj.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Javed Aslam, Advocate

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 13-07-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Mirganj P.S.**

Case No.89 of 2018 instituted for the offence under Section(s)
307 and other allied sections of Indian Penal Code.

Counsel for the petitioners submits that allegation against petitioner No.1 is that he gave sword blow on the neck of the informant. There is general and omnibus allegation against other petitioners that they assaulted with lathi, bhala, sword. Counsel for the petitioners further submits that injuries on the person of the injured are simple in nature.

The Sessions Judge has also mentioned in the impugned order that injury on the person of the injured was



simple in nature caused by hard and blunt substance.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Mirganj P.S. Case No.89 of 2018**, 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 the **Additional Chief Judicial Magistrate, XVI, Gopalganj**, 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 bonds 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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