

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46160 of 2018

Arising Out of PS.Case No. -408 Year- 2018 Thana -KISHANGANJ District- KISANGANJ

- =====
1. Rizwan @ Md. Rizwan, S/o Late Anish Rahman,
 2. Md. Faiz @ Md. Faiz Alam, S/o Anwarul Haque,
 3. Md. Firoz @ Firoz Alam, S/o Anwarul Haque,
 4. Rehan @ Raehan Ahmad, S/o Rizwan,
- All R/o Vill.- Churipatti, P.O.+P.S. and District- Kishanganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Giri, Advocate
		Mr. Dharendra Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Ashok Kumar, APP
For the Informant	:	Mr. Ram Prawesh Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 16-08-2018 Heard learned counsel for the petitioners, counsel for the Informant and the State.

The petitioners apprehend their arrest in **Kishanganj P.S. Case No.408 of 2018** instituted for the offence under Sections 341, 323, 324, 307 and 379/34 of the Indian Penal Code.

Counsel for the petitioners has submitted that prior to the instant case, petitioner No. 1 has filed Kishanganj P.S. Case No.407 of 2018 against the informant, in which four persons have sustained injury. Out of them, petitioner No.3 has sustained grievous injury.

The instant case has been lodged by the informant



after lodging the case by petitioner No.1. The informant has alleged that petitioners assaulted him with iron rod causing injury on his ear. The injury report of the informant has been enclosed as Annexure-3 which shows that he has sustained simple injury caused by hard and blunt substance.

The injury reports of petitioners have been enclosed as Annexure-4 series which shows that petitioners also have sustained injuries. The injury found on the person of petitioner No.3 was grievous in nature.

Counsel for the informant has appeared and opposed prayer for anticipatory bail of 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 **Kishanganj P.S. Case No.408 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 learned **Chief Judicial Magistrate, Kishanganj**, 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.

S.Ali/-
Rohit Kr.

(Sanjay Priya, J)

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