

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47589 of 2018

Arising Out of PS. Case No.-61 Year-2018 Thana- RAUTA District- Purnia

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1. Md. Shakil @ Shakil Akhtar, S/o Late Mahtab,
 2. Zohar Alam @ Alam @ Zahore Alam, S/o Abid,
 3. Ziaur Rahman @ Md. Ziaur Rahman, S/o Late Jalaluddin,
 4. Mojib @ Md. Mojib, S/o Late Guddu,
 5. Abdul Razzak @ Razzak, S/o Kamiruddin, All residents of Village- Balua Toli, P.S. Rauta, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Smt. Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 08-08-2018 Heard learned counsel for the petitioners ,learned APP for the State and learned counsel for the informant.

Petitioners apprehend their arrest in Routa P.S. case no. 61 of 2018 instituted for the offence under Section(s) 147,148,149, 341, 323, 324, 307, 379, 427, 447, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that there is case and counter case between the parties. The wife of petitioner no.2, namely Shabnam Ara has lodged a case against the three sons of the informant and others vide Routa P.S. cae no. 65 of 2018.

In the instant case, allegation against petitioner no.3 is of



assaulting Jainul with chhaku on the head. There is general and omnibus allegation against the other accused persons. Injury report of the informant's side has been annexed as Annexure 4 to the petition which shows that injured(s) have sustained simple injury. The injury report of Jainul has been enclosed wherein the doctor has found lacerated wound on right side mid scalp caused by hard and blunt object and opinion is kept reserved.

In the written report, it is mentioned that altercation had taken place for payment of price of articles in the shop.

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 Rouda P.S. case no. 61 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 ACJM-II, Purnea, 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 absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners 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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