

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32016 of 2018

Arising Out of PS.Case No. -145 Year- 2017 Thana -DAGARUA District- PURNIA

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1. Md. Quasim,
2. Md. Rashid

Both S/o Shekh (Md) Habib,

3. Md. Habib, S/o Late Kailu ,
4. Md. Firoz @ Laddu
5. Md. Afsar @ Guddu
6. Md. Akhtar @ Akhtar Alam @ Sachchu

Sl. Nos. 4 to 6 are sons of Md. Quasim,

7. Bibi Husni @ Husani, w/o Md. Quasim,
8. Md. Ansar @ Md. Ansar Alam, s/o Md. Rasid ,
9. Bibi Zaina Khatoon, w/o Md. Rasid,
10. Rahmati Praveen, D/o Md. Rasid,
11. Bibi Asiya Katoon @ Asiana @ Asia, w/o Md. Firoj @ Laddu,

All R/o Vill.- Ugharana, P.S.- Dagarua, Distt.- Purnia.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Mallick, Advocate.
For the Opposite Party/s : Smt. Reena Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 31-07-2018 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Dagarua**
P.S. Case No. 145 of 2017 instituted for the offence under
Sections 147, 149, 341, 323, 307, 325, 354(B), 379, 504 and 506
of the Indian Penal Code.

Learned counsel for the petitioners has submitted that
occurrence as per the First Information Report has taken place on



16.8.2017 and case was registered on 26.8.2017 i.e. after lapse of ten days. It has further been submitted that there is no allegation of any specific overt act against the petitioner Nos. 2 to 9. Allegation against petitioner No. 1 is that he assaulted the informant on his hand with *Dabia* causing injury to him.

Case diary has been received.

The injury report of the informant is available in the case diary wherein the Doctor has found one incised wound on his left head and opinion has been kept reserved.

The Sessions Judge has also mentioned in the impugned order that the Doctor has found one incised wound on posterior aspect of left hand of the informant. The informant and accused persons are relatives and Md. Habib and informant are full brothers.

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 **Dagarua P.S. Case No. 145 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 **Additional Chief Judicial Magistrate-II, 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.

S.Ali/-

(Sanjay Priya, J)

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