

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15468 of 2018

Arising Out of PS.Case No. -93 Year- 2017 Thana -KATRA District- MUZAFFARPUR

- =====
1. Akhtari Begum, w/o Ujale Kuraisi,
 2. Mina Kuraisi, d/o Subian Kuraisi @ Suleman Kuraisi @ Sufyan Kuraisi @ Shivjan Kuraisi,
 3. Subian Kuraisi @ Suleman Kuraisi @ Sufyan Kuraisi @ Shivjan Kuraisi, s/o Late Ynunun Kuraisi,
 4. Lal Kuraisi, s/o Suleman Kuraisi @ Subian Kuraisi @ Sufyan Kuraisi @ Shivjan Kuraisi, all r/o village- Nayatola Bandhpura, P.S.- Katra, District- Muzffarpur, Bihar.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

Mr. Anish Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 03-07-2018

Heard learned counsel for the petitioners and learned

APP for the State as well as counsel for the Informant.

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

Case No.93 of 2017 instituted for the offence under Section(s)

147, 148, 149, 323, 302 Indian Penal Code.

It is alleged in the written report that these petitioners along with 30 other named persons and 10 unknown persons assaulted the father of the informant with *lathi* and *Danda* on account of which he died on the spot.

Counsel for the petitioners submits that in the post



mortem report Doctor has not found any ante mortem injury on the person of the deceased.

Case diary was called for, which has been received. Post mortem report is available in the case diary, wherein, Doctor has not found any ante mortem injury either externally or internally. Various viscerae have been preserved. The Doctor has mentioned in the post mortem report that in his opinion deceased died due to disease of lungs. However, final opinion will be given after report of Histo-Pathological examination.

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 **Katra P.S. Case No.93 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 the **Additional Chief Judicial Magistrate, 14-cum- Sub Judge-15, Muzaffarpur**, 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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