

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.20716 of 2018

Arising Out of PS. Case No.-57 Year-2018 Thana- SAHEBGANJ District- Muzaffarpur

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1. Fazlur Rahman, son of Late Habibul Hasnain
 2. Sarfaraz Alam, son of Fazlur Rahman
 3. Shahnawaj Alam, son of Fazlur Rahman
 4. Saif Alam, son of Fazlur Rahman, All residents of village - Kazi Chak, P.S. Sahebganj, District Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 11-05-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend arrest in Sahebganj P.S. Case No. 57 of 2018 instituted for the offence under Sections 147,148,323,452,420,307,379/34 of the IPC.

Counsel for the petitioners submits that there is enmity between the informant and petitioner no. 1. Earlier, the wife of the petitioner no. 1 namely Shamma Praveen also lodged a case against the informant of this case vide Sahebganj P.S. Case No. 301 of 2004 on 10.11.2004.

In the instant case, there is allegation that petitioner no. 1 took Rs. 50,000/- from the complainant for enhancing the



marks of the son of informant in the examination of B.E.T.E.T. Examination, 2017. It is further alleged that when the result was published by the Bihar School Examination Board, the complainant could get knowledge that he was cheated by the accused no. 1.

In this manner, there is general and omnibus allegation leveled against the petitioners.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners, named above, in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Sahebganj P.S. Case No. 57 of 2018 to the satisfaction of the learned Additional Chief Judicial Magistrate 1st (West), Muzaffarpur, subject to condition as laid down u/S 438 (2) of the 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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioners and (3) if the petitioners tampers 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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