

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1220 of 2018

Arising Out of PS.Case No. -172 Year- 2017 Thana -DHAKA District-
EASTCHAMPARAN(MOTIHARI)

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1. Reyaz Khan, son of late Hadish Khan
2. Firoz Khan, son of late Hafiz Khan
3. Sonu Khan
4. Karamtullah Khan @ Karmatullah Khan
Both sons of Rahmatullah Khan
5. Rahmatullah Khan @ Rahmatullah Khan, son of late Oslain Khan
6. Razi Ahmad Khan, son of late Akhatar Khan
7. Tipu Khan, son of late Maki Ahmad Khan
All residents of village Parari, P.S. Dhaka, Distt. East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Zaki Haider, Advocate.
For the Opposite Party/s : Mr. Shyam Bihari Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 22-03-2018 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Dhaka P.S.**
Case No. 172 of 2017 instituted for the offence under Sections
147, 149, 452, 504, 506, 354, 323, 307 and 325 of the Indian
Penal Code.

In the written report there is allegation against Firoz
Khan (petitioner No. 2) of assaulting the daughter of the informant
namely, Samina Khatoon with iron rod on her head and she fell
down.

It has been submitted that this case has been filed due



to political rivalry. There is case and counter case between the parties. The family member of petitioner No. 6 has lodged First Information Report vide Dhaka P.S. Case No. 171 of 2017 against the informant and others on 27.5.2017. The instant case is counter blast of aforesaid P.S.Case.

Case diary has been received.

Learned A.P.P. after looking into the case diary has submitted that there is no injury report of the daughter of the informant available in the case diary. With regard to other petitioners, there is no allegation of any specific overt act against them.

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 **Dhaka P.S. Case No. 172 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 Sub Divisional Judicial Magistrate, Sikrahana at Dhaka**, 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.

(Sanjay Priya, J)

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