

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12773 of 2018

Arising Out of PS.Case No. -147 Year- 2017 Thana -KALYANPUR District-
EASTCHAMPARAN(MOTIHARI)

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1. Abdul Majid, son of Nabudan Mian
2. Md. Sarfaraj @ Md. Safaraj, son of Late Shekh Kasim,
3. Md. Nazim, son of Late Alidan Mian,
All are Resident of Village- Siswa Sob, P.S.- Kalyanpur, District- East
Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar No.III
For the Opposite Party/s : Mr. Yogendra Kr. Singh(App)

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 09-03-2018

Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Kalyanpur P.S.**

Case No. 147 of 2017 instituted for the offence under Sections 447,
341, 323, 379, 307, 506 and 504/34 of the Indian Penal Code.

It has been submitted that petitioners and informant are
Gotiyas. There is case and counter case between the parties. Sagira
Khatoon wife of petitioner No. 1 has also lodged First Information
Report vide Kalyanpur P.S. Case No. 148 of 2017 against the informant
and others. The case has been compromised between the parties as
good sense has prevailed between them.

From the written report it appears that on the order of
petitioner No. 1, petitioner No. 2 assaulted the informant with knife



causing cut injury above her left eye.

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 **Kalyanpur P.S. Case No. 147 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 9th, Motihari, East Champaran**, 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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