

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24883 of 2018

Arising Out of P.S.Case No. -159 Year- 2013 Thana -PAKARIBARAW District- NAWADA

- =====
1. Estessamuddin @ Lallan,
 2. Md. Hussam, Both S/o Late Md. Salam, R/o Vill.- Jamhariya, P.S.- Pakribarawan, Distt.- Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amresh Kumar Sinha

For the Opposite Party/s : Mr. Nand Kishore Pd

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 04-05-2018 Heard.

The petitioners apprehend arrest in connection with Pakribarawan P.S.Case No.159 of 2013 registered for an offence under Sections 341, 323 and 307/34 of the IPC.

The allegation as per written report is that these petitioners along with others went at the house of the informant and asked him to vacate the land. They wrapped gamcha around his neck and brutally assaulted the informant.

Learned counsel for the petitioners submits that the police finding no material against the petitioners submitted final form. Learned Magistrate however took cognizance against the petitioners. The learned counsel annexed the injury report which is Annexure-2 to this application which shows that the injury



allegedly sustained by the informant is simple in nature.

The learned APP opposed the submissions.

Considering the nature of allegation facts and circumstances, prayer for anticipatory bail is allowed. Let the above named petitioners in the event of their arrest or surrender before the court below within six weeks from today 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 Sri Bimlesh Kumar, Judicial Magistrate, Ist Class, Nawada in connection with Pakribarawan P.S.Case No.159 of 2013, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

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(Sanjay Kumar, J)

