

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28479 of 2018

Arising Out of PS. Case No.-321 Year-2017 Thana- JAMUI District- Jamui

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1. Md. Chhotu @ Md. Chhote
 2. Md. Bittu @ Md. Bittu Mian @ Mohammad Bittu Miya Both Sons
Md. Sonu @ Parwez Akhtar (Sonu Hard Ware), Mohalla- Thana
Chauk, P.S. & District- Jamui(Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Opposite Party/s : Mr. Sri Rajballabh Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 18-05-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Learned counsel for the petitioner submits that petitioner no.2, namely, Md. Bittu @ Md. Bittu Main @ Mohammad Bittu Miya has already been arrested during the pendency of this application. He, therefore, seeks permission to withdraw this application.

Accordingly, the application is dismissed as withdrawn with respect to petitioner no.2.

Learned counsel for the petitioner submits that there is general and omnibus allegation against this petitioner. Petitioner is named in the written report. During Taziya procession some altercation took place between the members of the two



communities and Taziya was also got damaged.

In the facts and circumstances of the case, prayer of the petitioner no.1 for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner no.1, named above, within six weeks from today in connection with Jamui Town P.S. case no. 321 of 2017, petitioner no.1 shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Jamui, 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) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioner 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 petitioner.

(Sanjay Priya, J)

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