

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9067 of 2018

Arising Out of PS.Case No. -50 Year- 2017 Thana -AKBARPUR District- NAWADA

=====

1. Md. Manzur, S/o Md. Habib,
2. Awesh S/o Manzoor Ansari,
3. Md. Sahid @ Sahid S/o Wahid Ansari,
4. Md. Tannu @ Tannu S/o Manzoor Ansari,
5. Md. Bilal @ Bilal S/o Manzoor Ansari,
6. Md. Tamish @ Tabish @ Md. Tauish S/o Manzoor Ansari,
7. Sahjada Khatun @ Sahjad Khatoon @ Noorzahan Khatoon W/o Manjoor Ansari. All are R/o Village- Baghna, P.S.- Akbarpur, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma

For the Opposite Party/s : Mr. Sri Akshay Lal Pandit

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 23-03-2018 Heard learned counsel for the petitioners as well as the State.

The petitioners apprehend their arrest in Akbarpur P.S. Case No. 50/2017 instituted for the offences under Sections 147, 341, 323, 325 and 436 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that all these petitioners are living out of village except Petitioner No. 1. A false case has been filed against these petitioners as they are neighbours and this case has been filed to harass the petitioners. It is alleged in the written report that fracture was caused on the person of the informant on 15.03.2017 and the petitioners set fire the house of the informant on 16.03.2017.



It appears that there is vague and omnibus allegation against the petitioners. Similarly, there is no mention that what articles were burnt. There is no seizure list of burnt articles.

Considering the facts and circumstances of the case, the 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 Akbarpur P.S. Case No. 50/2017, 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 the learned Chief Judicial Magistrate, Nawada, subject to the conditions as laid down under Section 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 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 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.)

Rakhi

U		T	
---	--	---	--

