

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10630 of 2018

Arising Out of P.S.Case No. -311 Year- 2017 Thana -BAIRIYA District-
WESTCHAMPARAN(BETTIAH)

- =====
1. Khalil Mian @ Khalil Khan, S/o Diljan Mian,
 2. Guddu Khan S/o Khalil Mian @ Khalil Khan,
 3. Nasim Khan S/o Khalil Mian @ Khalil Khan, All R/o Village- Hat Saraiya, P.S.- Bairiya, District- West Champaran.
 4. Chote Khan S/o Late Jamaluddin Khan, R/o Village- Sabeya Devraj, P.S.- Lautiya, District- West Champaran.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Sanjeev Kumar, Advocate

For the Opposite Party : Mr. Ram Naresh Ray, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 27-02-2018 Heard.

The petitioners apprehend arrest in connection with Bairiya P.S.Case No.311 of 2017 registered for an offence under Section 307 and other allied Sections of the IPC.

It has been submitted that the petitioners and informant are agnates residing at the same place. On the date of occurrence, the informant and his men came over his land and demolished the wall for which the petitioner no.2 lodged FIR of Bairiya P.S.Case No.313 of 2017 for the offence under Sections 341, 323, 324, 504 and 34 of the IPC. The allegation of assault by farsa and lathi is against other co-accused. The allegation of assault against these



petitioners appears omnibus. Both the parties are at litigating term for their ancestor landed property.

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 CJM, Bettiah, West Champaran in connection with Bairiya P.S.Case No.311 of 2017 , subject to the conditions 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.

(Sanjay Kumar, J)

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