

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46562 of 2018

Arising Out of PS.Case No. -58 Year- 2017 Thana -TARABARI District- ARRARIA

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1. Md. Sajid, S/o Md. Haseeb,
2. Md. Abid @ Abid S/o Md. Haseeb,
3. Md. Noushad @ Md. Nausad S/o Yunus @ Md. Yunus,
4. Md. Khurshid @ Khurshid S/o Md. Yusuf,
5. Yunus @ Md. Yunus S/o Late Hamid, All are R/o Vill.- Baturbari, P.S.-
Tarabari, District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary 1

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 25-08-2018 Supplementary affidavit has been filed on behalf of
petitioners. Let the same be kept on record.

The petitioners apprehend their arrest in Tarabari P.S.
Case No. 58/2017, instituted for the offences punishable under
Sections 147, 148, 149, 341, 323, 307, 379, 504 and 506 of the
Indian Penal Code.

Learned counsel for the petitioners has submitted that
in the written report there is specific allegation that co-accused
Md. Hasib, Md. Waris and Md. Sahid tried to assault the
informant with *lathi* on head. In the meantime, Md. Azad came to
save the informant. He also sustained head injury. Thereafter other
accused persons assaulted the informant with *lathi*. In this manner,



there is general and omnibus allegation against all these petitioners.

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 Tarabari P.S. Case No. 58/2017, 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 S.D.J.M., Araria, 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.)

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