

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47586 of 2018

Arising Out of PS.Case No. -306 Year- 2018 Thana -KHAGARIA District- KHAGARIA

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1. Md. Kasim,
2. Md. Manjar
3. Md. Asif,
All Sons of Md. Mohit @ Panchu, resident of Village- Jalkaura, P.S.-
Gangaur, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate.
For the Opposite Party/s : Mr. Umanath Mishra, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 29-08-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Khagaria**
(Gangaur) P.S. Case No. 306 of 2018 instituted for the offence under
Sections 341, 323, 324, 325, 307, 504, 506 and 379/34 of the Indian
Penal Code.

In the written report it is alleged that on 12.05.2018 the
petitioners were assaulting Md. Nasir. The informant went to rescue
him then petitioners surrounded the informant and abused him. It is
further alleged that Md. Kasim caused injury below right knee of the
informant with sharp weapon. Petitioner Nos. 2 and 3 assaulted the
informant with fat, fist and legs. Petitioner No. 1 took Rs.30,000/- from
the pocket of the informant and fled away.

The Sessions Judge has mentioned in the impugned order



that injury report of informant is available in the case diary which shows that informant has sustained two injuries caused by light sharp cutting weapons and hard and blunt substance.

Considering the facts and circumstances of the case, 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 **Khagaria (Gangaur) P.S. Case No. 306 of 2018**, 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 learned **Chief Judicial Magistrate, Khagaria**, 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) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond 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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