

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17129 of 2018

Arising Out of PS. Case No.-85 Year-2017 Thana- NARPATGANJ District- Araria

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1. Md. Shamshad @ Md. Shamshad Alam,
 2. Naim @ Md. Nayeemuddin Both Sons of Mofil Alam @ Mofique @ Mofik Alam, Both are R/o Village- Bardaha, P.S.- Narpatganj, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sri Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 16-07-2018 Heard learned counsel for the petitioners and learned APP for the State.

Petitioners apprehend their arrest in Narpatganj P.S. case no. 85 of 2017 instituted for the offence under Section(s) 147,148, 149, 341, 342, 323, 324, 325, 307, 332, 333, 353, 427, 452, 379, 224, 225, 337, 338, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that there is general and omnibus allegation against these petitioners.

In the written report, it is alleged that police arrested one accused, namely, Md. Ilyas and he was being taken to police station. Thereafter 80 accused persons named in the F.I.R. including these petitioners along with 200 unknown miscreants came near police party and tried to set free the apprehended accused Md. Ilyas from



the lawful custody of the police.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Narpatganj P.S. case no. 85 of 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 CJM, Araria, 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 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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