

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.36682 of 2018

Arising Out of P.S.C.ase No. -114 Year- 2017 Thana -GOH District- AURANGABAD

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1. Mahbub Ansari, S/o Intjar Ansari,
2. Kadir Ansari S/o Intjar Ansari,
3. Bhutan Ansari @ Jahid Ansari S/o Mahhub Ansari, All R/o Vill.- Nirpur,
P.S.- Goh, District- Aurangabad (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Leelawati Kumari, Advocate

For the Opposite Party/s : Smt. Nirmala Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 26-07-2018 Heard learned counsel for the petitioners as well as
the State.

The petitioners apprehend their arrest in Goh P.S.
Case No. 114/2017, instituted for the offences punishable under
Sections 147, 149, 341, 323, 354, 509, 379, 307 and 427 of the
Indian Penal Code read with Sections 3 and 4 of Daain Act.

Learned counsel for the petitioners has submitted that
there is general and omnibus allegation against the petitioners. In
the written report, it is alleged that one Tauhid Ansari @ Ojha told
the informant that she has caused death of son of Mahboob Ansari
due to witch craft and assaulted her with danda, fists and slaps.
There is no specific allegation of overt act against the 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 Goh P.S. Case No. 114/2017, 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, Aurangabad, 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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