

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29664 of 2018

Arising Out of PS.Case No. -276 Year- 2017 Thana -TAJPUR District- SAMASTIPUR

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1. Md. Jamil, S/o Latte Md. Gafur,
2. Md. Islam, S/o Md. Jamil,
3. Md. Jahid S/o Md. Islam,
All R/o Vill.- Bherokhara, P.S.- Tajpur, Distt.- Samastipur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma, Advocate.
Mr. Thakur Bikram Singh, Advocate.
Mr. Mukesh Kumar, Advocate.
Mr. Saurav Banerjee, Advocate.
For the Opposite Party/s : Mr. Parmanand Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 22-05-2018 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Tajpur P.S.**
Case No. 276 of 2017 instituted for the offence under Sections
307, 323, 341, 354, 379/34 of the Indian Penal Code and Sections
3/4 of Prevention of Witch Practices Act.

It has been submitted that the instant case is a counter
blast of Tajpur P.S. Case No. 274 of 2017 filed by petitioner No. 2
against the informant and others for the occurrence alleged to have
done by the informant and others on 11.9.2017. It is alleged in that
case that due to land dispute, the informant along with other



accused persons brutally assaulted the petitioners.

In the instant case there is allegation against these petitioners that on the order of petitioner No. 2, petitioner No. 3 assaulted the informant with butt of pistol on his head causing injury to him. The allegation against petitioner No. 1 is that he assaulted the informant with iron rod. When Md. Jabir came to rescue the informant, he was also assaulted by co-accused Md. Salam.

Learned counsel for the petitioners has submitted that the injury found on the person of the injured are simple in nature.

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 **Tajpur P.S. Case No. 276 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 learned **Additional Chief Judicial Magistrate 1st, Samastipur**, 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.

S.Ali/-
Rohit Kr.

(Sanjay Priya, J)

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