

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33839 of 2018

Arising Out of PS.Case No. -127 Year- 2017 Thana -MADHEPUR District- MADHUBANI

- =====
1. MD. MUMTAZ @ MD. MUMTAZ MANSURI, S/o Md. Idrish Mansuri,
 2. Shamshad @ Md. Shamshad Mansuri, S/o Md. Idrish Mansuri, both resident of village- Madhepur East Chaudhary Gacchi, P.S.- Madhepur, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 22-06-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Madhepur P.S.**

Case No.127 of 2017 instituted for the offence under Section(s) 147, 149, 341,323, 325, 307, 354-A, 379, 504, 506 Indian Penal Code.

Counsel for the petitioners submits that there is land dispute between the parties. Father of the petitioners has filed Title Suit No.110 of 2010 against the husband of the informant and others.

In the written report, it is alleged that petitioner No.1 assaulted the husband of the informant with *farsa* on the head and



petitioner No.2 assaulted the informant with iron rod and snatched *Hasuli*. Injury report of both the injured has been annexed as Anenxure-2, which shows that informant has sustained simple injuries. Doctor has found one lacerated wound on skull as well as swelling on lower lip and face of husband of the informant. There is no description of the injury of the injured.

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 **Madhepur P.S. Case No.127 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 **Additional Chief Judicial Magistrate, 1st, Jhanjharpur, Madhubani**, 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 bonds 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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