

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11677 of 2018

Arising Out of PS. Case No.-361 Year-2016 Thana- SAHARSA District- Saharsa

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Md. Nakib Alam @ Nakki, S/o- Md. Rakki Ahmad @ Md. Rafi Ahmad,
resident of Village- Saharsa Basti, Ward No. 32, P.S.- Saharsa, District-
Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nafisuzzoha

For the Opposite Party/s : Mr. Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 04-04-2018 Heard learned counsel for the petitioner and the

State.

The petitioner apprehends arrest in Saharsa Sadar
P.S. Case No. 361 of 2016, instituted for the offence under
Sections 341,323,384,386,387,307,34 of the IPC and Section 27
of the Arms Act.

Learned counsel for the petitioner has submitted that
petitioner is not named in the written report. The name of petitioner
transpired during investigation and thereafter, non-bailable warrant of
arrest has been issued against the petitioner.

In the written report, there is specific allegation against
co-accused Md. Obais @ Chunna of causing fire-arm injury to
informant.

In such circumstances, prayer for anticipatory bail is



allowed and it is ordered that the petitioner, named above, in the event of his arrest or surrender in the court below within six weeks from the date of receipt/production of copy of this order, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each in connection with Saharsa Sadar P.S. Case No. 361 of 2016, to the satisfaction of the learned Chief Judicial Magistrate, Saharsa, subject to condition as laid down u/S 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) petitioner shall cooperate in the trial and shall be present on each and every dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioner and (3) if the petitioner tampers 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 petitioner.

(Sanjay Priya, J)

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