

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32983 of 2018

Arising Out of PS. Case No.-123 Year-2018 Thana- RUNISAIDPUR District- Sitamarhi

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1. Jaish Mohammad, S/o Md. Farid,
 2. Nasim Miyan @ Nashim Miyan S/o Late Rahim Miyan,
 3. Parsuram Rai, S/o Jageshwar Rai, All R/o Vill.- Sirkhiriya, P.S.- Runnisaidpur, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Sri Tapeswar Sharma

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 12-07-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in Runnisaidpur P.S. case
no. 123 of 2018 instituted for the offence under Section(s) 341,
323, 308, 379, 385/34 of the Indian Penal Code .

Learned counsel for the petitioners has submitted that in the
written report there is specific allegation against co-accused Irfan
and Abir Hussain of assaulting the informant and his family
members causing injury to them. The informant has alleged
specifically against Irfan that he assaulted with iron rod on her
head causing cut and bleeding injury. The petitioners are although
named in the written report but there is no any allegation of
specific overt act against them.



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 Runnisaipur P.S. case no. 123 of 2018, 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 Sitamarhi, 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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