

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44356 of 2018

Arising Out of P.S.C.ase No. -61 Year- 2018 Thana -NARPATGANJ District- ARRARIA

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1. Md. Muzaffar Alam @ Md. Muzaaffar,
2. Md. Mojib @ Mojib Both Sons of Late Imamuddin,
3. Lukman S/o Ibrahim, All Residents of Vill.- Fatehpur, P.S.- Narpatganj,
District- Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Chandra Bhushan Das, Advocate

For the Opposite Party/s : Mr. Manish Kumar 2, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 27-07-2018 Heard learned counsel for the petitioners as well as
the State.

The petitioners apprehend their arrest in Narpatganj
P.S. Case No. 61/2018, instituted for the offences punishable
under Sections 147, 148, 149, 341, 323, 324, 307, 354(B) and 504
of the Indian Penal Code.

Learned counsel for the petitioners has submitted that
there is specific allegation of assault against the co-accused Md.
Mojim. In the written report, it is alleged that Md. Mojim
assaulted the husband of the informant with *Farsa* on his head.
There is no specific allegation of assault against these 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 Narpatganj P.S. Case No. 61/2018, 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 learned Chief Judicial Magistrate, Araria, 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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