

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37155 of 2018

Arising Out of PS. Case No.-397 Year-2017 Thana- PURNEA SADAR District- Purnia

1. Md. Amir,
2. Md. Usman Both Son of Muraf Ali, R/o Vill.- Jiyagachi, P.S.- Muffasil, District- Purnea.
3. Md. Mustaque S/o Nuresh Ali, R/o Vill. Parmanandpur P.S.- Muffasil, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Yadav
For the Opposite Party/s : Mr. Smt Renu Kumari

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 23-07-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in Sadar (Muffasil) P.S.
case no. 397 of 2017 instituted for the offence under
Section(s)147, 148, 149, 323, 324,307, 341, 342 and 120(B) of
the Indian Penal Code.

From the written report, it appears that main allegation
of assault is attributed against co -accused Wasim. There is
general and omnibus allegation against these petitioners. The
learned Sessions Judge, Purnia, has mentioned in the impugned
order that doctor has opined the injury on the person of the
informant to be simple in nature.



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 Sadar (Muffasil) P.S. case no. 397 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 CJM Purnia, 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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