

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16335 of 2018

Arising Out of P.S.Case No. -324 Year- 2017 Thana -SUGAULI District-
EASTCHAMPARAN(MOTIHARI)

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1. Abbas Ali @ Abbas Mian, Son of Dos Mohammad Mian,
2. Lal Mohammad Mian, Son of Dos Mohammad Mian,
3. Nazrul Imam @ Nazrul Imam Alam, S/o Abbas Ali @ Abbas Mian,
4. Nuraina Khatoon @ Nuraisa Khatoon, Wife of Abbas Ali @ Abbas Mian,

All are resident of Village- Sri Khindi, P.S.- Sugouli, District- East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vibhakar Kumar, Advocate.
For the Opposite Party/s : Mr. Shailendra Kumar -1, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 27-04-2018 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in **Sugouli P.S.**

Case No. 324 of 2017 instituted for the offence under Sections 341, 323, 324, 354(b), 379, 307 and 504/34 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that the instant case is counter blast of Sugouli P.S. Case No. 327 of 2017 lodged by petitioner No. 2 against the informant and others in which petitioner No. 2 had sustained serious injury and he was referred to Health Centre, Sugauli.

In the instant case there is allegation against petitioner



No. 1 of assaulting the informant with *Farsa* on her head causing bleeding injury and petitioner No. 2 is alleged to have assaulted one Najmul Mian with *Farsa* on his head causing bleeding injury. It is also alleged that petitioner No. 1 torn *Sari* and *Blouse* of the informant.

Case diary has been received.

Learned A.P.P. after looking into the case diary has submitted that injury sustained by the injured is simple in nature caused by hard and blunt substance.

Considering the facts and circumstances of the case, 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 **Sugauli P.S. Case No. 324 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 learned **Chief Judicial Magistrate, Motihari**, 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 bond 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.

S.Ali/-

(Sanjay Priya, J)

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