

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16554 of 2018

Arising Out of PS. Case No.-43 Year-2018 Thana- AURANGABAD TOWN District-
Aurangabad

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1. Md. Asfie @ S.P. @ S. Fee, S/o Md. Mojib
 2. Shahtab Alam @ Bittu @ Bitu @ Sahtab Alam, S/o Md. Sayeed
 3. Md. Inseram Hussain @ Ins Ram Hussain @ Chhotu, S/o Khalid
 4. Md. Irfan Alam @ Chhota @ Chhotu @ Md. Irfan, S/o Md. Nejam Ansari, All are resident of Mohalla- Nagar Nawadih, P.S.- Nagar, District- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

For the Opposite Party/s : Mr. Sri Atul Chandra

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

3 30-04-2018 Heard learned counsel for the petitioners and learned APP for the State.

Petitioners apprehend their arrest in Town P.S. Case No. 43 of 2018 instituted for the offence under Section(s) 376, 511/34, 341, 448, and 323 of the Indian Penal Code.

Learned counsel for the petitioners submits that there is general and omnibus allegation against these petitioners that after entering into the house, while the informant was alone they had attempted to commit rape on her. Learned counsel for the petitioner further submits that good sense has prevailed between the parties and a compromise petition has already been filed in the Court below vide Annexure-2. It is further submitted that this case has been filed due to dispute on account of playing cricket and some hot exchange of words has taken place between the parties.



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 Town P.S. case no. 43/2018, 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 CJM, Aurangabad, 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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