

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15472 of 2018

Arising Out of PS. Case No.-130 Year-2017 Thana- SIKTI District- Araria

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1. Manir Khan, S/o Safir Khan,
 2. Haidar Khan S/o Jabir Khan,
 3. Safir Khan S/o Late Sojit Khan,
 4. Nasim Khan S/o Juddin Khan,
 5. Shamsuddin Khan @ Salamuddin Khan S/o Ramzan Khan, All R/o Village- Parana Khan Tola, P.S.- Sikty, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha
For the Opposite Party/s : Mr. Sri S.M. Rahman

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 12-04-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in Sikty P.S. case no. 130/2017 instituted for the offence under Section(s) 147,149, 341, 448, 323, 324, 307 and 380 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that instant case is counter blast of Sikty P.S. case no. 127/2017 filed by co-accused Sabir Khan against the husband of the informant Kutub Ali Khan and ten others. In the instant case, there is allegation against the petitioner no.1 that he pushed down the husband of the informant on the ground and assaulted him. There is no any allegation of overt act against the petitioner nos. 2 to 5.



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 Sikty P.S. case no. 130/2017, 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 learned J.M. 1st Class, Araria, 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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