

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44261 of 2018

Arising Out of P.S.C.ase No. -484 Year- 2017 Thana -KISHANGANJ District- KISANGANJ

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1. Ayub @ Ayub Alam, son of Saheb
2. Saheb son of Quyum Miya
3. Nasiruddin @ Naswa @ Nasuwa son of Zabbar
4. Ataur son of Zabbar All resident of Village- Bhatiya Basti Ruidhasa,
P.S.- Kishanganj, District- Kishanganj.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amal Kumar Sinha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 25-07-2018 Heard learned counsel for the petitioners as well as the

State.

The petitioners apprehend their arrest in Kishanganj
P.S. Case No. 484/2017, instituted for the offence punishable under
Sections 147, 148, 149, 323, 341, 354, 379, 307, 504 and 509 of the
Indian Penal Code.

Learned counsel for the petitioners has submitted that
there is general and omnibus allegation against the petitioners. In the
written report, it is alleged that the petitioners and other accused
persons assaulted the son of the informant causing injury to him. The
injury report of the son of the informant is enclosed as Annexure-2
(series) which shows that after CT Scan no abnormality on Brain
Parenchyma is found and the injury is found to be simple in nature



caused by hard and blunt substance.

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 Kishanganj P.S. Case No. 484/2017, 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 Chief Judicial Magistrate, Kishanganj, 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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