

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5881 of 2019

Arising Out of PS. Case No.-198 Year-2018 Thana- PALASI District- Araria

1. Md. Nazam Son of late Farmuddin
2. Md. Nasim @ Nasim son of late Farmuddin
3. Md. Sabir son of Alauddin
All residents of Village – Kakorwa, Police Station Palasi, District Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Mukesh Kumar Rana, Adv.
For the Opposite Party/s	:	Mr.Anuj Kumar Shrivastava, APP
For the Informant	:	Mr. Naushaduzzaha, Adv.

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 29-03-2019 This is an application for grant of anticipatory bail in connection with Palasi P.S. Case No. 198 of 2018, disclosing offences under Sections 147, 323, 307, 354(B), 379, 504 of the Indian Penal Code.

Allegation against the petitioners is of assault to the informant and further it appears that they are accused in two other cases.

Submission of learned counsel for the petitioners is that there is land dispute between the parties and injuries are simple in nature. It has further been submitted that though plea has been taken by the informant that petitioner no.1 is accused in four cases, but even in spite of his verification, it appears that



in other two cases he has already been acquitted.

Heard learned A.P.P. as well as learned counsel for the informant, they have opposed the prayer for anticipatory bail of the petitioners stating that petitioner no.1 is accused in four cases.

Having heard both sides, considering the above submission, so far petitioner nos.2 & 3 are concerned, this application is allowed. Let petitioner nos.2 & 3, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI, Araria, in connection with Palasi P.S. Case No. 198 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

So far petitioner no.1 is concerned, I am not inclined to grant anticipatory bail to him, rather he should surrender before the court below and on surrender he will be released on provisional bail and in the meantime, the learned court below shall verify the criminal antecedents of petitioner no.1 and if it is found that he is still accused in four other cases, his provisional bail may be cancelled.



With the above direction, this application is disposed
of.

(Vinod Kumar Sinha, J)

Amjad/-

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