

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24239 of 2019

Arising Out of PS. Case No.-184 Year-2017 Thana- MANSI District- Khagaria

1. MD. ISRAIL @ BATO UDDIN S/O Late Domi Miyan @ Md. Farid, Resident of Village- Khirniya, P.S.- Mansi, District- Khagaria.
2. Md. Rizwan, S/o Late Md. Nazir, Resident of Village- Khirniya, P.S.- Mansi, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pradhan Murli Manohar Prasad, Adv.
Raju Kumar Goswami, Adv.
For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 16-04-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Mansi P.S. Case No. 184 of 2017 registered for offence punishable under sections 341, 323, 447, 448, 307, 504, 506, 379/34 of the Indian Penal Code.

Both sides have quarreled on the passage of road. Allegation has been made against the petitioner no. 1 is that he is an order giver and allegation has been made against petitioner no. 2 that he has abused. The specific allegation has been made against Fazluddin and Firojuddin to have assaulted by lathi and rod.

Looking to the facts and circumstances of the case, the prayer for bail of the petitioners is allowed and they, in the event of



arrest or surrender before the court below within six weeks from today, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Khagaria in connection with Mansi P.S. Case No. 184 of 2017, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court. If the petitioners are found involved in similar type of allegation in future, the prosecution will have liberty to file an application for cancellation of their bail bond. Whenever the Police will call the petitioners for the purpose of interrogation/investigation, they would present themselves, In case of failure, the prosecution will have liberty to make a prayer for cancellation of their bail before the court below.

(Shivaji Pandey, J)

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