

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27365 of 2019

Arising Out of PS. Case No.-579 Year-2017 Thana- CHAPRA TOWN District- Saran

1. MD. JAMSHED Son of Late Nizamuddin, Resident of Village - Ekdara, P.S.- Barauni, District - Begusarai
2. Md Minhaz Son of Md Khalil, Resident of Village - Ekdara, P.S.- Barauni, District - Begusarai
3. Md Akbar Son of Late Md Mazid, Resident of Village - Ekdara, P.S.- Barauni, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Prasad
For the Opposite Party/s : Mr.Mukeshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 26-04-2019 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 Chapra Town P.S. Case No. 579 of 2017 registered for offence punishable under sections 302, 201/34 of the Indian Penal Code.

A complaint petition has been filed by Murtaza against the accused persons, making allegation of murder by the accused persons. During investigation, it transpired that the deceased was in the habit of taking liquor and ganja. On the fateful day without taking any food, he had consumed liquor



and ganja and in the night, he was trembling and ultimately he died. The incident has taken place on 18.03.2017, but after one month, the complaint case has been filed. Police found the case of natural death on account of consumption of liquor and ganja. Two persons, namely, Md. Rizwan and Md. Eymamuddin @ Md. Emaduddin approached this Court in Cr. Misc. No. 76804 of 2018 and they were allowed anticipatory bail vide order dated 11.01.2019.

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, Saran at Chapra in connection with Chapra Town P.S. Case No. 579 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.

(Shivaji Pandey, J)

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