

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71831 of 2018

Arising Out of PS. Case No.-203 Year-2018 Thana- NAANPUR District-
Sitamarhi

- =====
1. Shayan Akhtar @ Shyan Akhtar Son of Javed Akhtar
 2. Md. Nazrul Hassan @ Nazrul Hassan @ Rahat Son of Ibnul Hassan
 3. Rafiur Rahman Son of Late Motiur Rahman
 4. Waqar Azim @ Wakar Azim Son of Rafiur Rahman and
 5. Mansoorul Hoda Khushtar @ Mansoorul Hoda @ Khushtar Son of Late Shamshul Hoda
- All Resident of Village-Gorhaul Sharif,P.S. Nanpur,Distt.-Sitamarhi

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Hari Kishore Thakur, Advocate.
For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 18-01-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 149, 341, 323, 324, 307, 379, 427, 447, 448, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Nanpur P.S. Case No. 203 of 2018.

3. It is submitted that the petitioners have been falsely implicated and the thrust of accusations is against co-accused Javed Akhtar who is said to have assaulted the informant on the head. The accusations against these petitioners are general and omnibus and the injuries attributed to them are simple in nature. The petitioners claims clean antecedents.

4. Learned APP assisted by learned counsel for the informant appearing suo motu have opposed the anticipatory



bail petition.

5. Be that as it may, having regard to the entirety of the facts and circumstances of the case, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Pupri, District- Sitamarhi in connection with Nanpur P.S. Case No. 203 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioners.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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