

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51194 of 2019

Arising Out of PS. Case No.-37 Year-2019 Thana- AMDABAD District- Katihar

1. MD. HAFFIZUDDIN Son of Abdul Mannan Resident of Village- Maltipur, P.S.- Amdabad, District- Katihar
2. Abu Talib @ Abu Talif Son of Abdul Mannan Resident of Village- Maltipur, P.S.- Amdabad, District- Katihar
3. Md. Rizwanul Haque Son of Md. Nurul Haque Resident of Village- Maltipur, P.S.- Amdabad, District- Katihar
4. Md. Shamim Akhtar Son of Mofizuddun Resident of Village- Maltipur, P.S.- Amdabad, District- Katihar
5. Md. Safiur Rahman Son of Isharul Haque Resident of Village- Maltipur, P.S.- Amdabad, District- Katihar

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 17-08-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Amdabad P.S. Case No. 37 of 2019 for the offence punishable under Sections 147, 148, 149, 307 and 504 of the Indian Penal Code.

In respect of the same occurrence, case and counter case have apparently been registered. It is the case of the petitioners that the present case is a counter blast to the First Information Report registered by them, giving rise to Amdabad P.S. Case No. 36 of 2019. It has been argued that both sides



have received injuries and the informant, who is an accused in said Amdabad P.S. Case No. 36 of 2017, has been allowed anticipatory bail by this Court.

Learned counsel appearing on behalf of the informant has opposed the prayer for anticipatory bail.

Considering the facts and circumstances and genesis leading to the occurrence, this application is allowed.

Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released on 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 A.C.J.M.-VII, Katihar, in Amdabad P.S. Case No. 37 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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