

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75393 of 2019

Arising Out of PS. Case No.-331 Year-2017 Thana- ARARIA District- Araria

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1. MD. SHABBIR S/o Late Md. Idrish
 2. Md. Sarwar, S/o Md. Idrish
Both R/o village- Diyari, P.S. and District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Nadimul Hasan, Advocate
For the Opposite Party/s :	Mr. Ashok Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 26-11-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of **Araria P.S. Case No. 331 of 2017**, disclosing the offence under Sections 147, 148, 149, 341, 323, 324, 354, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioners appears to be correct in his submission that a civil dispute between the parties is root cause behind the alleged occurrence leading to registration of the present case and a counter case. He has submitted that investigation is complete. The charge sheet has been submitted by the Police and cognizance has also been taken by the Court but, not of the offences punishable under



Sections 307 and 379 of the Indian Penal Code, which too, were incorporated in the First Information Report.

Considering the genesis of the occurrence, in my view, the case for grant of anticipatory bail is made out. 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 bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of **learned Judicial Magistrate, 1st Class, Araria, Distt. Araria**, in connection with **Araria P.S. Case No. 331 of 2017**, subject to the condition 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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