

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82593 of 2019

Arising Out of PS. Case No.-264 Year-2019 Thana- BHELDI District- Saran

1. Liyakat Ali Son of Diljan Miyan Resident of Village- Paiga Mitra Sen, P.S.- Bheldi, District- Saran at Chapra.
2. Shamsuddin Miyan @ Shamsuddin Son of Diljan Miyan Resident of Village- Paiga Mitra Sen, P.S.- Bheldi, District- Saran at Chapra.
3. Diljan Miyan S/o Late Hamid Miyan Resident of Village- Paiga Mitra Sen, P.S.- Bheldi, District- Saran at Chapra.
4. Asma Khatoon W/o Diljan Miyan Resident of Village- Paiga Mitra Sen, P.S.- Bheldi, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tej Pratap Singh, Advocate

For the Opposite Party/s : Mr.Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-12-2019 Petitioner no. 2 has already been arrested. The anticipatory bail petition of petitioner no. 2 is dismissed as withdrawn as having become infructuous.

Heard learned counsel for the petitioners, learned counsel for the informant and learned counsel for the State.

The petitioner no. 1, petitioner no. 3 and petitioner no. 4 apprehend their arrest in **Bheldi P.S. Case No. 264 of 2019**, registered for the offences punishable under Sections 323, 341, 307, 324. 427, 380, 354, 504 and 34 of the Indian Penal Code.

Petitioner no. 1 Liyakat Ali is alleged to have inflicted



knife blow on the head of informant, as a result of which he sustained grievous injury. So far as petitioner no. 3 and petitioner no. 4 are concerned, there is general and omnibus allegation against them.

In view of the fact that petitioner no. 1 Liyakat Ali gave knife blow on the head of informant as a result of which, he sustained grievous injury, I am not inclined to enlarge petitioner no. 1 Liyakat Ali, on anticipatory bail. Accordingly, the same is rejected.

So far as Diljan Miyan petitioner no. 3 and Asma Khatoon petitioner no. 4 are concerned, there is general and omnibus allegation against them, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, they are directed to be enlarged 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 **Additional Chief Judicial Magistrate XIIth, Saran at Chapra** in connection with **Bheldi P.S. Case No. 264 of 2019**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-

- (i) The petitioner no. 3 and petitioner no. 4 shall co-



operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, their bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner no. 3 and petitioner no. 4 tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner no. 3 and petitioner no. 4.

(Prabhat Kumar Singh, J)

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