

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2985 of 2020

Arising Out of PS. Case No.-390 Year-2019 Thana- MANIHARI District- Katihar

1. MD. FAIYAZ @ FAIYAZ Son of Khurshid Resident of Village - Boulia Gumti, Narayanpur, P.S.- Manihari, District- Katihar
2. Md. Saddam Son of Md. Mukhtar @ Mukhtar Resident of Village - Boulia Gumti, Narayanpur, P.S.- Manihari, District- Katihar

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bimal Kumar, Advocate

For the Opposite Party/s : Mr.Zainul Abedin, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-02-2020 Heard learned counsel for the petitioners as well as
learned counsel for the State.

Petitioners apprehend arrest in a case registered for the offences punishable under Section 307 and other allied sections of the Indian Penal Code and under section 27 of the Arms Act.

It is alleged that the accused persons named in the FIR including these petitioners surrounded the police party, which had gone to arrest an accused wanted in some other case. They brutally assaulted them as a result they sustained injuries.

Learned counsel for the petitioners submits that the petitioners has falsely been implicated in this case on suspicion. There are general and omnibus allegation against them. Injuries sustained by the injured have been found to be simple in nature. Petitioners has got no criminal antecedent and nothing



incriminating has come against them during investigation.

Considering the facts of the case, let the petitioners, above named, in the event of arrest/surrender before the Court below within a period of six weeks from the date of receipt of the order, 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 Chief Judicial Magistrate, Katihar in Manihari Police Station Case No. 390 of 2019 on the following conditions:-

(1) Petitioners 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 on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioners tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail

(Prabhat Kumar Singh, J)

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