

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18368 of 2020

Arising Out of PS. Case No.-265 Year-2009 Thana- TURKAULIYA District- East Champaran

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1. MD. TAIMUR, Son of Sekh Sakur @ Shekh Shakur, Resident of Village - Hardiya, P.S. - Turkauliya, Dist. - East Champaran
 2. Bhola Bhagat, Son of Ramautar Bhagat @ Late Ramawtar Bhagat, Resident of Village - Babhnoliya, P.S. - Turkauliya, Dist. - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bal Govind Sharma, Advocate
For the Opposite Party/s : Mr. Ashok Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 02-07-2020 The matter has been taken up through virtual Court proceeding.

Petitioner No. 1 Md. Taimur has already been arrested in this case. Hence, his prayer for anticipatory bail is dismissed as infructuous.

Heard learned counsel for the petitioner no. 2 and learned Additional Public Prosecutor for the State.

The petitioner no. 2 is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 307, 427, 379 and 504 of the Indian Penal Code.

Allegation against petitioner no. 2 Bhola Bhagat is that he put his pistol on the informant and asked him not to make any alarm while others were assaulting to the informant. Petitioner No. 2 has got no criminal antecedent.



Considering the nature of allegation and material, let the petitioner no. 2 Bhola Bhagat, in the event of his arrest or surrender before the learned Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Turkauliya Police Station Case No. 265 of 2009, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:-

(a) The petitioner no. 2 shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner no. 2.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(c) The petitioner no. 2 shall not leave the country without permission of the learned trial court.

(Birendra Kumar, J)

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