

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16780 of 2020

Arising Out of PS. Case No.-43 Year-2018 Thana- RAUTARA District- Katihar

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1. Tafjul Haque @ Tafajul Haque S/O Md. Ekramul R/O Village- Binodpur, P.S.- Rautara, District- Katihar
 2. Mofijul Haque S/O Md. Ekramul R/O Village- Binodpur, P.S.- Rautara, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamlesh Kumar Pathak- Advocate

For the Opposite Party/s : Mr. Kumar Veerendra Narayan- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-11-2021 Heard the learned Advocate for the petitioners and the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Routara P. S. Case No.43 of 2018, instituted for the offences under Sections 147, 149, 341, 323, 325, 307, 448, 379, 427 and 504 of the Indian Penal Code.

Learned counsel for the petitioners, at the outset, submits that petitioners are persons with clean antecedents. He further submits that both these petitioners were granted the privilege of anticipatory bail by the learned Court below, but they could not surrender in time as fixed by the learned Court below. As such, they seek extension of time for surrendering



passed by order dated 16.11.2018 in A.B.P. No.1759 of 2018, but the same was rejected by the learned Court below.

Learned counsel for the petitioners submits that since the learned Court below prima facie granted anticipatory bail, but due to unavoidable circumstances, the petitioners could not surrender before the Court below within time fixed by the Court below.

Considering the facts that petitioners was pleased to grant anticipatory bail by the Court below and they could not surrender within time. As such, the time was not extended as a result of which, the petitioners have moved before this Court.

From perusal of the order dated 17.01.2020 by which the extension of time was refused, it manifests that the petitioners herein after getting the privilege of anticipatory bail could not surrender and moved for extension of order which led to dismissal of the application seeking extension of time.

Considering the fact that the petitioners are persons with clean antecedents and they were initially granted the privilege of anticipatory bail, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of eight weeks, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/-



(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Katihar in connection with Routara P. S. Case No.43 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Satyavrat Verma, J)

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