

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24025 of 2020

Arising Out of PS. Case No.-109 Year-2019 Thana- POTHIIYA District- Kishanganj

1. Chand Mohammad S/o Mohammad Ghuta Resident of Village- Kharabari Udgara, Ward No. 9, P.S.- Pothiya, District- Kishanganj.
2. Sunil Mohammad @ Md. Sunil S/o Md. Amlu Resident of Village- Kharabari Udgara, Ward No. 9, P.S.- Pothiya, District- Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad, Adv.

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 02-03-2021 Heard learned counsel for the petitioners and learned counsel for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Pothia P.S. Case No. 109 of 2019 registered for offence punishable under sections 341, 323, 302/34 of the Indian Penal Code.

Allegation has been made that on account of grazing the field, dispute arose between the parties. The specific allegation has been made against Md. Israil @ Lal Bano and Noor Islam to have assaulted the victim by thick wood that led to his death.

Learned counsel for the petitioners submits that there is no specific allegation of assault against these petitioners. He further submits that co-accused, Gulsara had been moved before



this Court in Cr. Misc. No.75705 of 2019 and this Court granted anticipatory bail to her.

Looking to the facts and circumstance of the case, let the petitioners above named, in event of arrest or surrender before the court below within six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-I, Kishanganj in connection with Pothia P.S. Case No. 109 of 2019, subject to condition as laid down under section 438 (2) Cr.PC and further condition is that one of the bailors of the petitioners shall be their close relative. The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court. In case of failure on two consecutive dates without any valid reason, the court below will be at liberty to cancel the bail bonds of the petitioners.

This order has been passed in presence of Mr. Satya Nand Shukla, learned counsel for the State.

(Shivaji Pandey, J)

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