

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9782 of 2021

Arising Out of PS. Case No.-3 Year-2015 Thana- POTHYA District- Kishanganj

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1. NURUL @ NURUL HAQUE, S/o LATE SAHEDULLAH @ SARETULAH @ SAHEDHU, R/o Village - Barasuhagi, P.S. - Pothiya, District - Kishanganj.
 2. BUDDA @ ALIMUDDIN, S/o Late MUTRU @ MATIUR RAHMAN, R/o Village - Barasuhagi, P.S. - Pothiya, District - Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Sinha, Advocate

For the Opposite Party/s : Mr. A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 16-11-2021 It has been informed by learned counsel for the petitioners that petitioner no. 2 Budda @ Alimuddin has already been arrested in this case. Hence, his prayer for anticipatory bail is dismissed as infructuous.

Heard learned counsel for the parties.

Let the defect(s), if any, be removed within four weeks after complete start of the physical Court.

The petitioner no. 1 is apprehending his arrest in a case registered for the offences punishable under Sections 147, 149, 341, 332, 333, 353 and 307 of the Indian Penal Code.

The Petitioner No. 1 has got no criminal antecedent and he carries general and omnibus allegation of commission of assault. Similarly situated some other co-accused have already been allowed anticipatory bail by a Coordinate Bench of this Court vide order



dated 29.11.2019 passed in Cr. Misc. No. 77725 of 2019.

Considering the facts aforesaid, let the petitioner no. 1, above named, 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 Pothiya Police Station Case No. 03 of 2015, 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. 1 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. 1.

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

(c) The petitioner no. 1 shall not leave the country without permission of the learned trial court.

(Birendra Kumar, J)

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