

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40580 of 2021

Arising Out of PS. Case No.-498 Year-2020 Thana- KANTI District- Muzaffarpur

1. Md. Adalat Son of Gulam Rashul Resident of Village- Hichhra, P.S.- Kanti, District- Muzaffarpur.
2. Md. Rahmat Son of Gulam Rashul Resident of Village- Hichhra, P.S.- Kanti, District- Muzaffarpur.
3. Md. Naseem Son of Late Chauthi Miya Resident of Village- Hichhra, P.S.- Kanti, District- Muzaffarpur.
4. Md. Abid Son of Md. Naseem Resident of Village- Hichhra, P.S.- Kanti, District- Muzaffarpur.
5. Md. Parwez Alam Son of Naseem Resident of Village- Hichhra, P.S.- Kanti, District- Muzaffarpur.
6. Rehana Khatoon W/o Md. Naseem Resident of Village- Hichhra, P.S.- Kanti, District- Muzaffarpur.
7. Sayeeda Khatoon Wife of Md. Rasool Resident of Village- Hichhra, P.S.- Kanti, District- Muzaffarpur.
8. Md. Azad Son of Md. Rasool Resident of Village- Hichhra, P.S.- Kanti, District- Muzaffarpur.
9. Md. Nasrul @ Nasruddin Son of Md. Suleman Resident of Village- Hichhra, P.S.- Kanti, District- Muzaffarpur.
10. Md. Alauddin Son of Md. Suleman Resident of Village- Hichhra, P.S.- Kanti, District- Muzaffarpur.
11. Md. Salauddin Son of Suleman Resident of Village- Hichhra, P.S.- Kanti, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr.Kumari Vandana, Advocate
For the Opposite Party : Mr.Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 13-04-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection



with Kanti P.S. Case No.498 of 2020 registered for offences under Sections 147, 149, 448, 341, 323, 307, 380, 379, 354, 504 and 506 of the Indian Penal Code.

At the very outset, learned counsel for the petitioners submits that petitioner no.3, namely, Md. Naseem has been arrested during the pendency of this application. Hence, he prays for withdrawal of the application.

Prayer is allowed. The application for anticipatory bail is dismissed as withdrawn so far as petitioner no.3, namely, Md. Naseem is concerned.

So far as rest of the petitioners is concerned, considering the fact that there is no injury report available in the case which fact has come in the impugned order, this application for anticipatory bail is allowed.

Accordingly, let petitioners, above-named, in the event of their arrest or surrender within four weeks from today, be ***released on bail till submission of charge-sheet*** on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, 2nd, West Muzaffarpur in connection with Kanti P.S. Case No.498 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and subject to



further condition that if the injury report is submitted showing that the injuries sustained by the injured are simple in nature, then the anticipatory bail granted to the petitioners shall be confirmed by the Court below after submission of the charge-sheet. If the injury report shows that the injuries sustained by the injured are grievous in nature, in such a situation, the bail bonds of the petitioners shall stand automatically cancelled and they shall be taken into custody forthwith.

(Sandeep Kumar, J)

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