

IN THE HIGH COURT OF JUDICATURE AT PATNA

Cr.Misc. No.43204 of 2009

1. AFTAB KHAN @ AFTAB

2. Mahtab Khan @ Mahtab

Versus

STATE OF BIHAR .

2. 24.12.2009

Heard learned counsel for the petitioners and the State.

The credit in this application for anticipatory bail to the petitioners under Sections 302/34 of the Penal Code goes to the State police which has kept the investigation pending for over 10 years from 1999. In view of the recitals contained in the impugned order, the investigation is still inconclusive.

If these factual condition is incorrect, the prosecution shall be at liberty to move for cancellation for bail in the preset order.

Considering the facts and circumstances of the case, let the petitioner above named surrender in the Court below within a period of six weeks from today when he shall be enlarged on anticipatory bail on furnishing bail bonds of Rs. 20,000/-(twenty thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Arrah in connection with Ara Town P.S. Case No. 287/99, subject to the conditions laid down under Section 438(2) of the Cr. P.C.

P. Kumar

(Navin Sinha, J.)