

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.33133 of 2014

Arising Out of PS.Case No. -82 Year- 2014 Thana -ANDER District- SIWAN

1. Sheikh Rizwan @ Md. Rizwan

2. Shahadat Hussain

3. Gulam Hussain

All three sons of Sheikh Mansoor, Resident of Village-Gaziapur, P.S.-
Ander District-Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Raghav Prasad

For the Opposite Party/s : Mr. Sucheta Yadav, APP

CORAM: HONOURABLE THE CHIEF JUSTICE

ORAL ORDER

3 04-02-2015

This application is filed under Section 438 Cr.P.C. by the petitioners with a prayer for grant of anticipatory bail. The petitioners figure as accused in a case for the offences punishable under Sections 341, 324, 325, 307, 504, 506/34 of the Indian Penal Code.

A.B.P. No. 1206 of 2014 filed by the petitioners in the court of Sessions Judge, Siwan, was rejected on 4.7.2014. Hence, this application.

A perusal of the FIR discloses that main allegation was against Hazrat Hussain and Rizwan Khan. Both of them are said to have been arrested and released on bail. Except that the

petitioners are said to have been present at the place of incident, no specific overt act is attributed against the petitioners.

It has come on record that petitioner no.1 has already been arrested. Accordingly, this petition is allowed in respect of petitioner nos. 2 and 3.

It is directed that in the event of arrest, petitioner nos. 2 and 3, namely, Shahadat Hussain and Gulam Hussain shall be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Siwan, in connection with Ander PS Case No.82/2014.

(L. Narasimha Reddy,CJ)

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