

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43984 of 2015

Arising Out of PS.Case No. -43 Year- 2015 Thana -ALIPUR District- GAYA

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1. Achhay Thakur son of Madho Thakur.
2. Madho Thakur S/o Late Jagdish Thakur.
3. Parwez Alam Son of Late Md. Quasim.
4. Md. Ayub S/o Md. Abdas
5. Md. Mehboob S/o Md. Abdas. All R/o Village- Meera Bigha, P.S.
Alipur, Distt- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Verma

For the Opposite Party/s : Mr. Mustaque Alam(App)

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

2 14-10-2015 Counsel for the petitioners, as prayed, is permitted to make corrections in paragraph nos. 3, 6 and typed copy of the F.I.R. in course of day.

Petitioners, five in number, have prayed for anticipatory bail in Alipur P.S. Case No. 43 of 2015 registered under Sections 147, 148, 149, 341, 323, 324, 307, 337, 338, 153(A), 109, 195, 504, 506 and 509 of the Indian Penal Code and Section 27 of the Arms Act.

Owing to construction of nala, there was marpit between two sides. A mob was congregated thereafter the incident took place. It is submitted that altogether 30 persons have been named in the F.I.R. many of whom have been released on anticipatory bail by this Court. A web copy of the order dated 9.10.2015 passed in Cr. Misc. 42724 of 2015 has been handed in by the

Counsel for the petitioner which is taken on record marked "X".
There is a counter case also in which the present prosecution party is accused.

Considering the fact that some of the accused persons have been released on bail, in the event of arrest or surrender in the Court below within four weeks, the petitioners abovenamed are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Sri Jigar Shah, Judicial Magistrate, 1st Class, Gaya in Alipur P.S. Case No. 43 of 2015 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioners.

(ii) In case of framing of charge, the petitioners shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioners and secure their arrest in accordance with law.

Pankaj/-

(Kishore Kumar Mandal, J)

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