

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40228 of 2014

Arising Out of PS.Case No. -31 Year- 2014 Thana -NTPC District- BHAGALPUR

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1. Md. Mojahid, son of Md. Jainul
 2. Md. Saddam, son of Md. Alim
 3. Md. Tinku, son of late Md. Ante
 4. Md. Faisal, son of late Md. Azim, all are residents of village Bhader,
P.S. Kahalgaon (NTPC), district Bhagalpur Petitioners

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioners : Mr. Manoj Kumar Jha, Adv.

For the Opposite Party : Mr. Bhanu Pratap Singh (App)

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CORAM: HONOURABLE MR. JUSTICE GOPAL PRASAD

ORAL ORDER

2 23-04-2015 Heard the learned counsel for the
petitioners and the State.

This is a petition for grant of anticipatory bail for offence under Sections 341, 147, 149, 448, 332, 504, 506, 353, 152 and 427 of the Penal Code and 27 of the Arms Act.

The allegation is that a person was caught hold on surrender to the police for doing some illegal act and, thereafter, several persons came and asked the police to hand over the arrested person as they have to deal with him as he is a person, who had done illegal act with the community and in this connection there was some physical altercation as well as breaking of the chair and other articles in retaliation for non-handing over of the arrested person. The learned counsel for the petitioners submits that the allegation is general and omni bus

and only allegation is that Chowkidar was present at the time of occurrence and it has been learnt that the petitioners were amongst the persons who were in the crowd. The learned counsel for the petitioners submits that no specific overt act alleged against the petitioners.

Hence, having regard to the facts and circumstances of the case, the petitioners, above named, in the event of their arrest or surrender, within four weeks from the date of receipt of this order, are directed to be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with the NTPC P.S. Case No. 31 of 2014, corresponding to G.R. No. 2807 of 2014 to the satisfaction of Sri Anwar Shamim, Judicial Magistrate, 1st Class, Bhagalpur, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Gopal Prasad, J)

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