WEB COPY NOT OFFICIAL

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12022 of 2015

Arising Out of PS.Case No. -150 Year- 2014 Thana -UCHAKAGAON District- GOPALGANJ

==========

1. Munna Mian son of Amin Mian
2. Aftab Alam saon of Iyahi Mian
3. Md. Gyasuddin son of Abdul Hassan Mian
4. Banti Mian son of Munna Mian
5. Md. Hasruddin @ Hasruddin son of Abdul Hassan Mian

All are residents of village- Bankilal, P.S. Uchakagawn, District Gopalganj .... Petitioner/s

Versus

The State of Bihar .... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr. Anirudh Kumar Verma, Advocate
For the Opposite Party/s : Mr. Sadanand Paswan, Spl. P.P.

==========

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

4 30-07-2015 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek anticipatory bail in connection with Uchakagawan P.S. Case No.150 of 2014 registered for the offences punishable under sections 147, 148, 149, 341, 323, 307, 427, 447, 448, 379, 506 and 504 of the Indian Penal Code and section 3(1)(x) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for short “the Act”).

It is contended that in the FIR altogether twenty three persons have been made as accused. There is general and omnibus allegations against all the accused persons made in the FIR. The allegations made against the petitioners are out and out false and fabricated. In the incident none has sustained any injury.

There is nothing on the basis of which ingredients of the offence punishable under section 3(1)(x) of the Act would be attracted. Referring to paragraph no.51 of the case diary, it has been submitted that co-accused Hadi Miyan, Sadam Miyan, Choita Mian and Sufiyan Mian against whom there is identical allegation have already been granted bail by the court below.

Learned counsel for the State has opposed the prayer for bail. He has submitted that the offence alleged is serious in nature.

Taking into consideration the allegations made in the FIR and the materials collected in course of investigation, let the above named petitioners in the event of arrest or surrender within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gopalganj in connection with Uchakagawan P.S. Case No.150 of 2014 subject to the conditions as laid down under section 438(2) Cr.P.C.

(Ashwani Kumar Singh, J)

Md.S./-

U		T	