

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.2686 of 2016

Arising Out of PS.Case No. -238 Year- 2015 Thana -CHATOUNI District- EAST CHAMPARAN
(MOTIHARI)

1. Aitullah Mian @ Atiullah Mian, S/o Kausar Mian
2. Saiyad Imran Hussain @ Little @ Littil, S/o Sahid Hussain @ Babloo
Both are resident of Mohalla - Khod Nagar Bhawanipur Zirat, P.S. -
Chhatauni, District - East Champaran at Motihari

.... Petitioners

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate

For the Opposite Party/s : Mr. A.L. Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 12-04-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection
with Chhatauni P.S. Case No. 238 of 2015 registered under
Sections 147, 148, 149, 188, 333, 342, 427, 353, 504 and 505 of
the Indian Penal Code.

It is contended that though there is allegation of road
blockade against 40-50 persons, there is nothing specifically
alleged against the petitioners. It is also contended that from a

perusal of the FIR, it would be evident that there is no allegation of assault or use of criminal force by the accused persons to the public servant from discharge of their duties.

Learned counsel for the State has opposed the application for grant of anticipatory bail to the petitioners.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within six weeks from today, the petitioners are directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Chhatauni P.S. Case No. 238 of 2015 subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Ashwani Kumar Singh, J.)

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