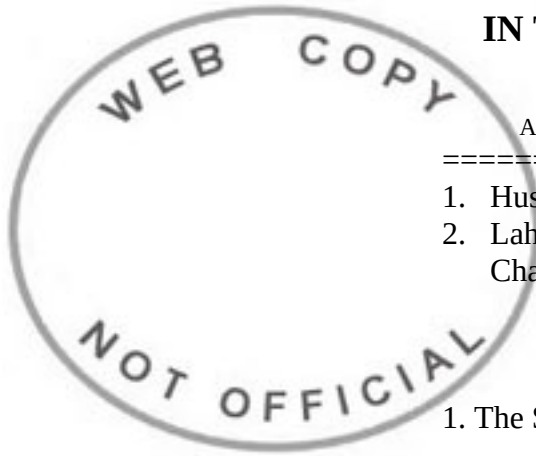




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26994 of 2016

Arising Out of PS.Case No. -37 Year- 2016 Thana -KATEYA District- GOPALGANJ

=====

- 1. Hussain Mian Son of late Awadan Mian
- 2. Lahawar Mian Son of Hussain Mian Both Resident of Village- Batal Chauraha PS Kateya, District Gopalganj.

.... Petitioner/s

Versus

- 1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Suresh Prasad Bhakta

For the Opposite Party/s : Mr. Sri Prem Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 30-06-2016 Petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 337, 338, 332, 333, 307, 353, 427, 504, 506, 120B of the Indian Penal Code.

The prosecution case is that on 21.02.2016 at 9:00 A.M the informant being police officer received information that people of muslim community of village Maheshpur wanted to bury a dead body in the graveyard of Batal Chauraha which was being opposed by the muslim community of the said area. On the said information the informant reached on the spot with other police personnel and found both sides violent. The informant wanted to pacify the matter but in the meantime the

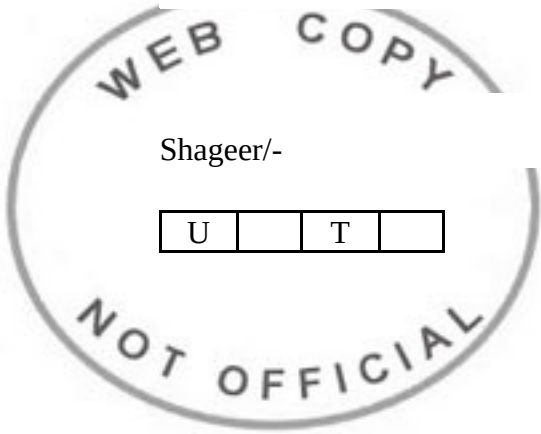
people of Maheshpur started digging grave as a result both sides collided and attacked each other. On the order of co-accused Hazrat Mian the villagers made assault to the police party, as a result the police party received injuries leading to registration of the present case. Though Kateya P.S. Case No. 38 of 2016 was registered at the behest of Israil Mansoori. The petitioners are accused in the aforesaid case also.

It is submitted by learned counsel for the petitioners that specific accusation of making assault to the informant is against Hazrat Mian and Ali Hussain who are not petitioners before this Court. The accusation against the petitioners is omnibus and general. Moreover other similarly situated co-accused have been granted anticipatory bail by a coordinate Bench of this Court vide Cr. Misc. No. 18570 of 2016.

A statement has been made in para 3 of the petition that petitioners are accused in one other case lodged for the same incidence.

Considering the aforesaid facts, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of 12 weeks from today, 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 learned Chief Judicial Magistrate, Gopalganj in connection with Kateya P.S.

Case No. 37 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



(Dinesh Kumar Singh, J)