

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26809 of 2016

Arising Out of PS.Case No. -38 Year- 2016 Thana -KATEYA District- GOPALGANJ

1. Hussain Mian, Son of Late Awadan Mian
2. Lahwar Mian, Son of Hussain Mian.
Both resident of Village - Batal Chauraha, P.S. Kateya, District - Gopalganj.
..... Petitioner/s

Versus

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

Appearance:

For the Petitioner/s : Mr. Suresh Prasad Bhakta, Advocate.
For the Opposite Party/s : Mr. Prem Kumar Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

3 01-09-2016 Heard both sides.

The petitioners, namely, Hussain Mian and Lahwar Mian, apprehend their arrest in Kateya P.S. Case No. 38 of 2016 registered under Section 307 and other sections of the Indian Penal Code.

The informant alleged that he and other co-villagers were cremating the dead body of a child in a Kabristan. The accused persons came and asked the informant not to cremate the dead body on that ground. The police came and pacified the matter. Hazrat Miyan assaulted the police officer with Farsa on his head. It is submitted that there is no allegation against the petitioners. Similarly situated accused persons have been granted anticipatory bail vide orders passed in Cr. Misc. No. 16359/2016 and Cr. Misc. No. 18041/2016. The case of the petitioners stands

on the same footing.

Considering the facts aforesaid, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt / production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in Kateya P.S. Case No. 38/2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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