

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35356 of 2016

Arising Out of PS.Case No. -27 Year- 2016 Thana -TERHAGACHH District- KISANGANJ

- =====
1. Suraj Kumar Sah son of Arun Sah
 2. Shankar Sah son of late Bachcha Lal
 3. Mishtu Sah son of Mirchani Sah all are resident of village Matiyari P.S. Terhagachh, District- Kishanganj.
 4. Md. Mister, son of Sahimuddin @ Sintiya
 5. Jaharul son of Rahimuddin both are resident of village Babhan Toli Matiyari, P.S. Terhagachh, District- Kishanganj.
 6. Dinesh Paswan son of Hedlu Paswan resident of Khajurbadi, P.S. Terhagachh, District Kishanganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Neeraj Raj, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

2 17-09-2016 Heard learned counsel for the petitioners. No one has appeared on behalf of the State.

As prayed by the petitioners, the application on behalf of the petitioner no.3, namely, Mishtu Sah is permitted to be withdrawn.

Petitioners are facing prosecution under Sections 147,149,341,342, 323, 189 and 353 of the IPC, vide Terhagachh P.S. Case No. 27 of 2016 recorded on the self statement of the S.H.O.

It is alleged that about 50-60 motorcyclist was found canvassing on behalf of the principal co-accused Shyam Lal Ram.

The informant tried to stop them to verify whether there was permission. The motorcyclists obstructed in doing so. The petitioners constituted the mob.

It is submitted that co-accused of this case, namely, Shyam Lal Ram has been released on anticipatory bail vide order dated 02.09.2016 passed in Cr. Misc. no. 28035 of 2016. The petitioners have no criminal antecedents.

Considering the above, let the petitioner nos. 1,2, 4, 5 and 6, named above, in the event of their arrest/surrender before the learned Court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate Terhagachh in the District of Kishanganj in connection with Terhagachh P.S. case no. 27 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with further following conditions:-

- (i) One of the bailors shall be the own/close family member of the petitioners.
- (ii) As soon as the charges are framed the petitioners shall appear in person before the trial court on the date(s) fixed at the trial. In case of default in such appearance on two consecutive dates, the

trial Court shall have liberty to cancel the bail bonds of the petitioners and secure their arrest in accordance with law.

(Kishore Kumar Mandal, J)

Shyam/-

U		T	
---	--	---	--