

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40222 of 2016

Arising Out of PS.Case No. -131 Year- 2016 Thana -KRITYANAND NAGAR District- PURNIA

1. Pintu Singh @ Saroj Kumar Singh son of Binod Kumar Singh resident of village Satkodariya, P.S. K. Nagar (Maranga) district Purnea.
2. Md. Fakro Mian alias Fakruddin son of Md. Jumrati alias Md. Kailu Mian resident of village Satkodariya, P.S. K. Nagar (Maranga) district Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Prawesh Kumar, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, A.P.P.

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-10-2016 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with K. Nagaar (Maranga) P. S. Case No. 131 of 2016 registered for offences punishable under Sections 147, 148, 149, 145, 152, 153, 341, 342, 323, 332, 379, 353, 504, 506, 188 and 171 (C) of the Indian Penal Code, 9 Bihar Sound Control Act, 1955 and 53 (B) /61 of the Bihar Excise Amendment Act.

The prosecution case as lodged by the informant is that while he was returning, many persons were coming on four wheelers and motorcycles. They were raising slogans. On enquiry,

it transpired that Munna Babu, Ex-district Councilor was canvassing for his wife. Munna Babu entered into hot exchange with the informant and the informant named the petitioners.

It has been submitted by the learned counsel for the petitioners that they are innocent and have been falsely implicated in the aforesaid case. There is a mob of 60-65 persons as alleged and the petitioners have nothing to do with the election and the name of the petitioners have falsely been implicated in the case. He submits that the petitioners were simply a passer-by and they have no criminal history, as is evident from para-3 of this application.

However, learned A.P.P. for the State submits that the petitioners are named in the F.I.R., hence, opposes the prayer for bail.

Considering the nature of allegations made against the petitioners and that on similar allegation some of the co-accused have been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court passed in Cr. Misc. no. 31956 of 2016 vide order dated 26.09.2016, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand only)

each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea, in connection with K.Nagar (Maranga) P.S. Case No. 131 of 2016, subject to the conditions as laid down under Section 438 (2) of the Cr. P.C.



(Nilu Agrawal, J)

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