

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14511 of 2016

Arising Out of PS.Case No. -17 Year- 2016 Thana -MITHANPURA District- MUZAFFARPUR

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1. Bijay Kumar S/O Late Bachchan Singh
2. Vikash Kumar S/o Sri Uday Patel All resident of Mohalla- Rambagh,
near Teachers Training School, P.S.- Mithanpura, District- Muzaffarpur
.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Advocate

For the Opposite Party/s : Mr. B.N. Pandey , APP

For the informant : Mr. Vasant Vikas, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

4 11-07-2016 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Mithanpura P.S. Case No. 17 of 2016, disclosing offences under Sections 147, 148, 149, 323, 427, 337, 379, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioners appears to be right in the submission that there is no specific allegation against these petitioners and the allegation against F.I.R. named accused persons are general and omnibus.

Learned counsel for the informant has not been able to controvert the contention. He has produced before me, a copy of the F.I.R. of Mithanpura P.S. Case No. 44 of 2015, registered on 06.03.2015, in order to submit that the petitioner has

criminal history and has been made accused in the said case.

I have perused the said F.I.R. It cannot be definitely said that it is the petitioner No. 1, who has been made accused in the said Mithanpura P.S. Case No. 44 of 2015, as the names do not exactly tally.

Considering the above submission, this application is allowed. Let the petitioners, abovenamed, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate (East), Muzaffarpur, in connection with Mithanpura P.S. Case No. 17 of 2016, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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