

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41023 of 2016

Arising Out of PS.Case No. -197 Year- 2016 Thana -SITAMARHI District- SITAMARHI

1. Md. Naushad @ Naushad, Son of Md. Ebrahim Resident of Village-
Mehsaul East, Ward No. 6

2. Md. Aslam, Son of Late Md. Jaljal, Resident of Village- Mehraul, Both
P.S.- Mehraul, O.P., District- Sitamarhi. Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sri Ram Bilash Roy Raman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH

ORAL ORDER

2 28-09-2016

Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Sitamarhi (Mehsaul) P.S. Case No. 197 of 2016, disclosing offences under Sections 147, 148, 149, 341, 342, 323, 324, 307, 364, 353, 337, 504, 506 and 379 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that there are 42 persons named and 200-250 persons not named have been made accused in the First Information Report. They are said to have attacked the Police party which had come to rescue one constable who was abducted by some persons.

It has been submitted that in similar circumstanced other accused persons shall be granted anticipatory bail by this Court. He has referred to an order dated 04.08.2016 passed in

Criminal Miscellaneous No. 30285 of 2016 whereby in similar circumstanced Md. Munna @ Eklakh Ahmad and another have been granted anticipatory bail.

Considering the submissions as above, this application is allowed.

Let the petitioners, above-named, 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 Chief Judicial Magistrate, Sitamarhi in connection with Sitamarhi (Mehsaal) P.S. Case No. 197 of 2016, subject to the conditions as 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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