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- Petitioner/s

1. The State of Bihar

2 19-10-2016 Heard learned counsel for the petitioners and
learned APP for the State.

The prosecution case, as lodged by the Principal of P.N.B. College, Bhagalpur, is that petitioners along with 15-20 anti-social elements entered the college premises and caused hindrance in discharge of official duties. They also insisted to take illegal admissions in the college and petitioner no. 2 has been named in the First Information Report.

It has been submitted by the learned counsel for the petitioners that they are innocent and have falsely been implicated in the aforesaid case. He submits that petitioners are already on police bail and that Section 353 I.P.C. is not attracted against them. He further submits that there is no instance that the petitioners have misused the police bail and ordinarily the privilege of anticipatory bail should not be denied unless there is allegation of misuse of bail as held by this Court in the case of Mahendra Prasad Singh Vs. State of Bihar since reported in 2004(3) PLJR 491.

Under the aforesaid facts and circumstances, let 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) each with two sureties of the like amount each to the satisfaction of Sri Amit Ranjan Upadhyay, learned Addl. Chief Judicial Magistrate 7th, Bhagalpur, in connection with Tatarpur (University) P.S. Case No. 98/15 (G.R. No. 2836/15), subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

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