

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14921 of 2017

Arising Out of PS.Case No. -272 Year- 2016 Thana -HARSIDHI District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Markandey Kumar @ Markandey @ Jhunna Kumar, son of Sri Keshv Prasad, resident of village – Pakaria, P.S. Harsiddhi, District-East Champaran at Motihari.
 2. Mantu Singh, son of Suresh Singh, resident of village- Kanchhedwa, P.S. Harsiddhi, District- East Champaran at Motihari.
 3. Santosh Singh, son of Triloki Singh, resident of village-Rai Kararia, P.S. Paharpur, District- East Champaran at Motihari.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shanker Pankaj

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary 1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 06-04-2017 The petitioners are apprehending their arrest in connection with Harsiddhi P.S. Case No. 272 of 2016, registered for offences punishable under Sections 147, 149, 323, 307, 353, 222, 223, 224, 225 and 120(B) of the Indian Penal Code.

It has been submitted on behalf of the petitioners that the allegation against them is that when the Vigilance raiding party went to arrest BDO and his Account Clerk at block office, Harsidhi regarding a complaint of bribe made against them and when they tried to proceed with the apprehended persons, a mob assembled there including petitioners and started raising slogans and created obstruction in discharging official duty of raiding



party. It has also been submitted that petitioner no.1 is running a shop of Photostat copier near the gate of block office who was only present there to watch the seen. It has further been submitted that petitioner no.2 is the husband of local member of Zila Parishad and petitioner 3 is the son of elected ward member and as such, they were present there and they have nothing done with the occurrence.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances of the case, nature of offence, let the petitioner no.1 in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari, in connection with Harsiddhi P.S. Case No. 272 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.

(ii) The petitioner shall cooperate in the investigation



and make himself available as and when required by the police and on the event of failure on his part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

So far petitioner nos. 2 and 3 are concerned, they are directed to surrender before the court below and make prayer for regular bail which will be considered by the court below on the basis of whatever material available on record.

Accordingly, this application is disposed off.

(Vinod Kumar Sinha, J)

Ravi/-

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