

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45814 of 2017

Arising Out of PS. Case No.-224 Year-2016 Thana- ALOULI District- Khagaria

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1. Monu @ Sumit Kumar Nirala,
 2. Mansih @ Manish Kumar Nirala @ Manish @ Manish Kumar,
 3. Sonu @ Ayushman Kumar Nirala,
- All sons of Ravindra Kumar Sada, Resident of Village- Bandhar (Hathwan), P.S.- Alouli, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Opposite Party/s : Mr. SRI TARKESHWAR NATH THAKUR

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

5 22-12-2017 Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Alouli Police Station Case No. 224 of 2016, disclosing offences under Sections 323, 504, 353, 379, 511/34 of the Indian Penal Code.

Allegedly, three persons, who are named in the First Information Report, were going in a motorcycle, which was intercepted by the informant, who was the S.H.O. of the Alouli Police Station. It is alleged that the accused persons assaulted the informant and tried to snatch his pistol. One of them, petitioner no. 1, managed to flee away; whereas other



petitioners disclosed the name of petitioner no. 1.

Learned Counsel appearing on behalf of the petitioners has submitted that there is nothing to show that petitioner nos. 2 and 3 were apprehended. It has further been submitted that the motorcycle, in question, belongs to the close relative of petitioner no. 1, which has been seized by the Police. In paragraph 3 of the application, it has been stated that the petitioners have no criminal antecedent.

In that background, it is contended that neither any offence under Section 379 nor under Section 411 of the Indian Penal Code is made out on the basis of what has been alleged in the First Information Report.

Considering the above, this application is allowed.

Let the petitioners, namely, Monu @ Sumit Kumar Nirala, Manish @ Manish Kumar Nirala @ Manish Kumar and Sonu @ Ayushman Kumar Nirala, 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/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria, in connection with alouli Police Station Case No. 224 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.

Prabhakar Anand/-

(Chakradhari Sharan Singh, J)

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