

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16829 of 2017

Arising Out of PS.Case No. -71 Year- 2016 Thana -ROUH District- NAWADA

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1. Md. Shamim son of Late Rafique
2. Md. Alam son of Late Abdul Hamid
3. Md. Takim son of Late Khazanoor
4. Md. Tanbir Sonof Md. Takim
5. Md. Israi son of Late Md. Hamid
6. Abdul Halim @ Kara son of Md. Aslam

..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Deo Raj

For the Opposite Party/s : Mr. Smt. Anita Kumari Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-04-2017 Heard the parties.

The petitioners are apprehending their arrest in connection with Roh P.S.Case No.71 of 2016 registered for offences punishable under Sections 147, 148, 149, 323 and 353 of the Indian Penal Code.

Allegation against the petitioners is that they have obstructed the informant in performing his official duties and the case is under Section 353 and other Sections of the Indian Penal Code.

It is submitted on behalf of the petitioners that actually a public petition had been filed by the villagers before the Block Education Officer for enquiries about the irregularities in the 'Madarsa' but the informant and other persons were not allowing the Block Education Officer to make enquiry and in that



connection, the petitioners had also filed a case against the informant and villagers firstly and in the counter, the present case has been filed.

Heard learned A.P.P. also.

Having heard both sides and in view of the fact that that earlier to filing of the present case, the petitioner had also filed a case against the informant and villagers, as such let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of A.C.J.M.-VI, Nawada in connection with Roh P.S.Case No.71 of 2016, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioners will not induce any witness or tamper with the evidence.
- (iii) The petitioners shall co-operate in the investigation of the case and make themselves available as and when required by the police, otherwise, the prosecution is free to move for cancellation of their bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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