

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28273 of 2017

Arising Out of PS.Case No. -171 Year- 2016 Thana -BIHARIGANJ District- MADHEPURA

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1. Ashok Kumar Gupta @ Ashok Gupta, Son of Ganga Gupta @ Badri Pd. Gupta, Resident of Village- Gamail Road, P.S.- Bihariganj, District- Madhepura.
 2. Manish Kumar, Son of Anil Kumar Sah, Resident of Village- Bihariganj, P.S.- Bihariganj, District- Madhepura.

.... Petitioners

Versus

1. The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh

For the Opposite Party/s : Mr. Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 06-07-2017 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Bihariganj P.S. Case No. 171 of 2016 for the offences instituted under Sections 147, 148, 149, 156, 295(A), 341, 323, 353, 332, 333 and 427 of the Indian Penal Code.

It is alleged that during cultural programme on the occasion of Durga Puja, two groups of people scuffled and committed assault against each other.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the



petitioners. The petitioners have been made accused due to mistake of fact. General and omnibus allegation has been made against the petitioners. No overt act has been attributed against them. The other co-accused have been granted bail by this court vide Cr. Misc. No. 6892 of 2017.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named be released on anticipatory bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Bihariganj P.S. Case No. 171 of 2016 on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Udakishunganj, Madhepura, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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