

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26734 of 2018

Arising Out of PS. Case No.-743 Year-2017 Thana- FORBESGANJ District- Araria

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1. Md. Abu Kauf @ Abu Kauf @ Abbu Kuf, S/o Late Md. Asimuddin @ Late Hasim @ Md. Asim,
 2. Md. Naushad @ Noshad Alam S/o Md. Mojim,
 3. Md. Munna @ Munna S/o Md. Nazzo,
- All R/o Vill.- Pothia, P.S.- Simraha, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Naushad Uzzoha
For the Opposite Party/s : Mr. Yogendra Kr. Singh(APP)

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 03-05-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

In this case, the petitioners are apprehending their arrest in connection with Forbesganj (Simraha) P.S. Case No. 743 of 2017 (G.R. No. 3120 of 2017) registered for offences under sections 147, 148, 149, 341, 323, 342, 308, 504, 427 of the Indian Penal Code.

For the same incident, two F.I.Rs. have been instituted, one by the private person i.e. the Informant and another by the police itself having been registered as Forbesganj (Simraha) P.S. Case No. 742 of 2017.

As per First Information Report lodged by the



Informant, he reached to the place of occurrence and saw certain persons were gathered there and started misbehaving with him and they demanded his identity card, the Informant explained his relationship with the victim, whereafter, they started abusing, used lathi and danda, smashed the glass of his vehicle, whereas, the police has stated that on account of death of one person, the people of locality has obstructed the movement of regular traffic and they have put obstruction in discharge of the official duty.

There is no specific allegation against the present petitioners.

Looking to the entire facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj (Simraha) P.S. Case No. 743 of 2017 (G.R. No. 3120 of 2017), subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also subject to condition that whenever the police will call the petitioners for investigation/interrogation, they will remain



present and if they would not present himself, the privilege of grant of anticipatory bail shall be deemed to have been cancelled.

If it will be found that the petitioners are involved in such incident in future, the privilege of bail will be treated to have been withdrawn.

(Shivaji Pandey, J)

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