

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10904 of 2018

Arising Out of PS.Case No. -244 Year- 2017 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

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1. Akhilendra Tiwary @ Akhilendra Kumar Tiwary, Son of Late Shashi Tiwary, null
2. Manshi Mahto, Son of Late Sukan Mahto, Both are resident of Village-Barwa Mangru, P.S.- Madhuban Distt- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Pandey

For the Opposite Party/s : Mr. Sri Awadhesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 27-02-2018 Heard the parties.

The petitioners are apprehending their arrest in connection with Madhubani P.S.Case nO.244 of 2017 registered for offences punishable under Sections 144, 188, 341, 435, 353, 427, 504 and 120(B) of the Indian Penal Code.

Allegation against the petitioners is of creating obstruction in discharge of the public duty.

Submission of the learned counsel for the petitioner is that one electrical mechanic died while he was working on the transformer and the line was connected; due to that *road jam* was made and the petitioners and other co-accused persons have been named but no specific allegation has been attributed against them and the other co-accused persons have been granted privilege of anticipatory bail by this Court, vide order dated 21.2.2018 passed



in Cr. Misc. No.8866 of 2018 and order dated 15.2.2018 passed in Cr. Misc. No.7542 of 2018.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. IV, East Champaran, Motihari in connection with Madhuban P.S.Case No.244 of 2017, 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 bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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