

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39133 of 2018

Arising Out of PS.Case No. -219 Year- 2017 Thana -MANIGACHI District- DARBHANGA

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1. JAMAL AHMAD @ SINTU KHAN @ MD. JAMAL KHAN @ JAMAL KHAN, son of Hira Khan.
 2. Hasnain Khan @ Nain Khan, son of late Hafiz Khan @ late Hanif Khan, both are resident of village- Paithan Kahai, P.S.- Manigadhri, District- Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2/ 05-07-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Manigachhi P.S. Case No.219 of 2017** instituted for the offence under Section(s) 114, 147, 148, 149, 341, 323, 324, 307, 353, 519, 153-A, 427, 504, 506, 120-B Indian Penal Code and Section 34 of Damage to Public Property Act.

Counsel for the petitioners submits that there is general and omnibus allegation against both the petitioners.

It is mentioned in the written report that some dispute took place between two communities with regard to route of *Chath Yatra*. Petitioners are named in the written report as members of unlawful assembly.

It has been submitted that other co-accused have



been granted anticipatory bail by this Court by order dated 04.04.2018 passed in Cr. Misc. No.11561 of 2018.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with **Manigachhi P.S. Case No.219 of 2017**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the **Additional Chief Judicial Magistrate, VI, Darbhanga**, subject to the conditions as laid down under Section 438(2) Cr. P. C. with further conditions: (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bonds and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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