

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37322 of 2018

Arising Out of PS.Case No. -15 Year- 2018 Thana -BEERPUR District- BEGUSARAI

- =====
1. Siya Ram Sah @ Shyam Babu Sah, S/o Mahadev Sah,
 2. Sonu Kumar S/o Rampravesh Soni,
 3. Indrajeet Sah @ Indrajeet Kumar, S/o Muni Lal Sah, all Residents of Vill.- Muzaffara, Ward No. 10, Bhavanandpur, P.S.- Birpur, District- Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 12-07-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Birpur P.S.**

Case No.15 of 2018 instituted for the offence under Section(s)

147, 148, 149, 341, 323, 504, 353, 307, 427 Indian Penal Code.

Counsel for the petitioners submits that although petitioners are named in the written report, but there is no allegation of any specific overt act against them.

It is alleged in the written report that in protest of arrest of one Pritam Jaiswal, about 100-150 persons assembled and blocked the road which resulted in altercation with the police party in which two Constables, namely, Mirza Hussain and Binod Kumar sustained injury.

Petitioners have enclosed injury report of both Constables. Injury report of Mirza Hussain shows that he has



sustained simple injury. With regard to another Constable, Binod Kumar, it has been stated that he did not get any medical treatment there because he has no injury.

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 **Birpur P.S. Case No.15 of 2018**, 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, 1st, Begusarai**, 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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