

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26243 of 2018

Arising Out of PS. Case No.-426 Year-2017 Thana- BIHPUR District- Bhagalpur

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1. Md. Mithu Ansari, Son of Md. Alamgir Ansari.
 2. Md. Azad Ansari, Son of Md. Khurshid Ansari.
 3. Kayum Ansari, Son of Late Fago Ansari.
 4. Gulfaraj Ansari, Son of Md. Samsheer Ansari, All are the resident of Village/Mohalla- Momin Tola, Jhandapur, P.S.- Bihpur (Jhandapur), Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Swapnil Kumar Singh
For the Opposite Party/s : Mr. Sri Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 20-06-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in Bihpur (Jhandapur)
P.S. case no. 426 of 2017 instituted for the offence under
Section(s) 147,149,341,323,342,504 and 353 of the Indian
Penal Code and Section 5 of Essential Services Maintenance
Act, 1968.

It is submitted that petitioners are alleged to be the
member of unlawful assembly. In the written report it is alleged
that on the date of occurrence two persons died in motorcycle
accident and due to that accused persons as mentioned in the
written report blocked the NH-31 from 7.55 AM to 11.30 AM



and also used criminal force to deter public servants from discharge of their duty. The petitioners are named as member of the aforesaid unlawful assembly. The other accused persons with similar allegation have been granted anticipatory bail by a coordinate Bench of this Court vide order dated 6.4.2018 passed in Cr. Misc. no. 14606 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 Bihpur (Jhandapur) P.S. case no. 426 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 ACJM, Naugachiya, Dist. Bhagalpur, 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 absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners 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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