

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9904 of 2018

Arising Out of PS.Case No. -167 Year- 2017 Thana -HUSAINGANJ District- SIWAN

- =====
1. Mannan Ansari, son of late Nabi Hussain,
 2. Chhote Babu, son of Mokhtar Baitha,
 3. Roshan, son of Ali Haider @ Abul Haider,
 4. Hans Nath, son of Faizal, all residents of village- Mahpur Khanjauni,
P.S.- Hussainganj, District- Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kaushal Kishore Mishra, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

4/ 20-04-2018

Heard learned counsel for the petitioners and learned

APP for the State.

Petitioners apprehend their arrest in **Hussainganj**

P.S. Case No.167 of 2017 instituted for the offence under

Section(s) 147, 148, 149, 341, 448, 427, 436, 379, 504, 506

Indian Penal Code.

There is allegation in the written report that petitioners and other accused after forming unlawful assembly started committing *loot-paat* and sprinkled petrol on the houses and in that course house of the informant was totally burnt and several articles were damaged. Entire *mohalla* people became afraid. Villagers came and they extinguished the fire.

Case Diary has been received, wherein, police has described the place of occurrence in para 13. The police has



mentioned that one wooden door of the house of informant was found burnt and some articles were also found burnt. There are total 33 accused persons named in the First Information Report. There is no specific allegation of overt act against the petitioners.

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 **Hussainganj P.S. Case No.167 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 **Chief Judicial Magistrate, Siwan**, 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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