

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3501 of 2018

Arising Out of PS.Case No. -50 Year- 2017 Thana -BHAGHA District-
WESTCHAMPARAN(BETTIAH)

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1. Shekh Musa @ Musa Mian, S/o Isha Musa,
2. Rajmuddin @ Rajmuddin Mian, S/o Late Suleman,
3. Mannan Mian, S/o Idrish Mian.
4. Mukesh Kumar, S/o Parimal Das, null
5. Mujahir Mian, S/o Phool Mohammad Mian, null
6. Tahir Mian, S/o Phool Mohammad Mian,
7. Mister Mian, S/o Molajim Mian.
8. Shakir Mian, S/o Dilmohammad Mian.
9. Imam Mian, S/o Molajim Mian.
10. Salama Khatoon, W/o Aslam @ Aslam Mian, All ten are R/o Dhumatand, Post- Siswa, Tajpur, P.S.- Bhangaha, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Sri Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 02-02-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

Petitioners apprehend arrest in connection with
Bhangaha Police Station Case No. 50 of 2017 registered for the
offences under sections 147, 148, 149, 341, 323, 353 and 504 of
the Indian Penal Code.

It has been submitted that the informant and other
Constables of S.S.B. apprehended six cattles from the place of



occurrence. The person, who was carrying the cattles, succeeded to flee away from the place of occurrence and subsequently 40-50 persons along with the accused persons came and started damaging the police out-post. The petitioners were allegedly identified by the police party and accordingly the present case has been lodged.

From perusal of written report it appears that there is no any specific allegation against any of the petitioners. The petitioners are resident of village Siswa Tajpur which situates at different place and so the informant is not supposed to identify any of the petitioners. The petitioners have clean antecedent.

Considering the facts and circumstances of the case, the prayer for bail is allowed and the above named petitioners in the event of arrest or surrender before the learned court below within six weeks from today, are directed to be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Bettiah, West Champaran in connection with Bhangaha Police Station Case No. 50 of 2017, subject to conditions as laid down under section 438(2) Cr.P.C. with further conditions: (1) one of the bailors of the petitioners shall be local person having sufficient immovable property within



the jurisdiction of the concerned Court, (2) the petitioners will not induce any witness or tamper with the evidence (3) the petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court and on the event of failure on their part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail and (4) If the petitioners are found involved in similar type of offence in future, the prosecution will have liberty to move for cancellation of their bail.

(Sanjay Kumar, J)

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