

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53213 of 2018

Arising Out of PS.Case No. -29 Year- 2015 Thana -BIHIA District- BHOJPUR

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1. Md. Ali, S/o Late Jainul Ansari, R/o Village- Umraonganj, P.S.- Bihia,
District- Bhojpur at Ara.
2. Manoj Thakur, S/o Late Baijnath Thakur, R/o Village- Umraonganj, P.S.-
Bihia, District- Bhojpur.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mithilesh Kumar Upadhyay

For the Opposite Party/s : Mr. Nirmal Kumar Sinha

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 08-10-2018

Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The petitioners are seeking anticipatory bail in
connection with Bihia (Bahoranpur) O.P. P.S. Case No. 29
of 2015 registered under Sections 147, 148, 149, 353, 427,
436, 379 and 120(B) of the Indian Penal Code.

Learned counsel for the petitioners submits that
the petitioners are not named in the First Information Report.
The allegations are that on 29.01.2015, when the school
opened at 10.00 A.M., some students and their
parents/guardians started damaging the properties of the
school because of the non-payment of the scholarship to the
students. They had taken the properties of the school on fire.
Learned counsel submits that ten months after the alleged
occurrence the name of these petitioners has been brought in
this case in course of investigation.

Learned Additional Public Prosecutor
representing the State submits that investigation of the case



is still going on.

Considering the facts and circumstances of the case whereunder it is submitted that the name of the petitioners has been transpired after ten months of the lodging of the F.I.R., the case is of the year 2015 and according to learned Additional Public Prosecutor the investigation of this case is still going on, these petitioners are not said to be the students of the school and had allegedly no connection with the scholarship scheme, in the event of their arrest/surrender before the court below within four weeks, let the above-named petitioners be enlarged on bail on furnishing bail bonds of Rs. 15,000/- (fifteen thousand only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. – 5, Bhojpur at Ara, in connection with Bihia (Bahoranpur) O.P. P.S. Case No. 29 of 2015, subject to condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

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