

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10940 of 2018

Arising Out of PS.Case No. -496 Year- 2017 Thana -KANTI THARMAL POWER District -
MUZAFFARPUR

- =====
1. Md. Halchal @ Halchal, S/o Late Manu Mian,
 2. Md. Imran S/o Md. Alam, Both R/o Village- Damodarpur, P.S.- Kanti,
Distt.- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. S. Jamil Akhtar

For the Opposite Party/s : Mr. Pawan Kumar Chaurasiya

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 27-02-2018 Heard the learned counsel for the petitioners as well as
the learned A.P.P. for the State.

In this application for anticipatory bail the petitioners apprehend their arrest in connection with Kanti P.S. Case No. 496 of 2017 for the offences punishable under sections 147, 148, 149, 341, 342, 323, 332, 333, 337, 338, 353, 427, 437, 151, 152, 153, 153 (A), 307, 295 (A), 504 and 506 of the I.P.C and section 27 of the Arms Act.

Allegedly, the informant along with other police party reached at the Village- Damodarpur on getting information that members of two groups, one headed by Kamran Rahmani and another headed by Aman Thakur were engaged in clash, causing



disturbance of the public peace and tranquility, the police persuaded them but they became furious and they started brick batting on the police party causing injury to them. Several persons as named in the FIR were apprehended and some of them escaped. The petitioners are members of the mob but allegedly fled away from the spot.

Submission is of false implication and that the petitioners were not present at the spot, nothing incriminating has been recovered from their houses, there is no specific allegation against them and the allegations are omnibus and general in nature, similarly situated co-accused Shambhu Thakur has been allowed pre-arrest bail by the I/C Sessions Judge, Muzaffarpur vide A.B.P. NO. 2591 of 2017, vide Annexure-2, and the case of the petitioners is on similar footing.

The learned A.P.P. opposes prayer for pre-arrest bail of the petitioners but is not in a position to distinguish the case of the petitioners from the co-accused Shambhu Thakur.

In the facts and circumstances stated above, the petitioners, in case of their arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, shall 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 S.D.J.M, West Muzaffarpur in connection with the aforementioned case, subject to the condition as laid down under section 438 (2) of the Cr.P.C.

(Jitendra Mohan Sharma, J)

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