

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11561 of 2018

Arising Out of PS. Case No.-219 Year-2017 Thana- MANIGACHI District- Darbhanga

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1. Shahwaz Khan, S/o Hasnain Khan @ Nain Khan,
 2. Nesar Khan @ Nesar Ahmad Khan, S/o Late Ishaque Khan,
 3. Seraj Khan, Son of Nasir Khan,
 4. Ali Hasan, Son of Late Sheikh Husaini,
 5. Md. Naushad, Son of Late Pachkauri,
 6. Noor Salam Sikalgarh @ Noor Salam, Son of Chhedi Husaini,
 7. Dulrey Khan, Son of Late Ainul Khan,
 8. Mofizul Khan, Son of Late Wazir Khan,
 9. Anzer Khan, Son of Mofizul Khan,
 10. Gulab Khan @ Gulab, Son of Late Hafiz Khan,
 11. Jahangir Khan, Son of Late Hafiz Khan,
 12. Haidar Ali Khan, Son of Main Khan,
 13. Laddan Khan, Son of Noor Alam Khan,
 14. Md. Haroon, Son of Md. Majid @ Madik null
 15. Safiqul Iraqui, Son of Yunus Iraqui,
 16. Sarfaraz Khan, Son of Husain Khan @ Nain Khan,
 17. Tufail Khan, Son of Amir Hasan Khan @ Noor Hasan Khan, all
are Residents of Village- Paithan Kahai, P.S.- Manigachhi,
District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh
For the Opposite Party/s : Mr. Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 04-04-2018 Heard learned counsel for the petitioners and the

State.

The petitioners apprehend arrest in Manigachhi P.S.

Case No. 219 of 2017, instituted for the offence under Sections

114,147,148,149,341,323,324,307,353,379,153(A),427,504,506,

120B of the IPC and Section 3 and 4 of Damage of Public



Property Act.

It is alleged in the written report that some dispute took place between two communities with regard to Chhath Yatra. The petitioners are also named as members of the unlawful assembly.

As such there is no specific allegation of overt act against these petitioners.

In such circumstances, prayer for anticipatory bail is allowed and it is ordered that the petitioners, named above, in the event of their arrest or surrender in the court below within six weeks from the date of receipt/production of 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 in connection with Manigachhi P.S. Case No. 219 of 2017, to the satisfaction of the learned Additional Chief Judicial Magistrate Vith, Darbhanga, subject to condition as laid down u/S 438 (2) of the 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 dated fixed by the court and absence on two consecutive dates without proper and reasonable reason, will automatically cancel bail bonds of the petitioners and (3) if the petitioners tampers 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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