

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65702 of 2018

Arising Out of PS. Case No.-1098 Year-2017 Thana- SITAMARHI District- Sitamarhi

1. Sunil Kumar Kushwaha, Son of Ram Prit Singh, Resident of Village- Balua, P.S.- Dumra, District- Sitamarhi.
 2. Sitaram Yadav, Son of Raghunandan Yadav, Resident of Village- Naya Gaon, P.S.- Nanpur, District- Sitamarhi.
 3. Shafique Khan, Son of Late Siddique Khan, Resident of Village- Mehsaul Chowk, P.S. & District- Sitamarhi.
 4. Raj Kishore Kushwaha @ Raj Kishore Singh, Son of Late Ram Ekbal Singh, Resident of Village- Ramnagra, P.S.- Riga, District- Sitamarhi.
 5. Shailendra Ahiraj @ Ahiraj Shailendra Bhushan, Son of Late Ramchandra Rai, Resident of Village- Dalakaba, P.S.- Sonbarsa, District- Sitamarhi.
 6. Ishahaque Naddaf @ Ishfaq Ahmad, Son of Nathuni Naddaf, Resident of Village- Gopenathpur (Barbas), P.S.- Durma, District- Sitamarhi.
 7. Nandlal Yadav, Son of Late Ram Pratap Rai, Resident of Village- Bhup Bhairo, P.S. & District- Sitamarhi.
 8. Ganesh Prasad @ Ganesh Prasad Gupta, Son of Late Birju Sah, Resident of Mohalla- Station Road, Sitamarhi, P.S. & District- Sitamarhi
- Petitioners

Versus

The State of Bihar.

... ... Opposite Party

Appearance :

For the Petitioners : Mr. Hans Lal Kumar, Advocate

For the Opposite Party : Mr. Iftekhar Mahmood, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 13-12-2018 Heard learned counsel for the petitioners as well as
learned counsel for the State.

Petitioners apprehend their arrest in a case registered
for offence under sections 143,188,283,285,290,291 and 353 of
the IPC.

It is submitted on behalf of the petitioners that the
petitioners are social workers having political background due
to which they have been implicated in the instant case. In



respect of petitioner no.3 it is submitted that he is an elderly person suffering from cardiac ailments. It is submitted that there is no allegation of damaging public property and causing any injury to the police party, or loss of life. Petitioners have no criminal antecedent.

Learned counsel for the State opposes prayer for bail of the petitioners by referring to the order of the learned Sessions Judge dated 25.9.2018 and has pointed out that reliance has been placed in the impugned order on certain paragraphs of the case diary.

Considering the submissions of learned counsel for the petitioners, prayer for anticipatory bail to all the eight petitioners mentioned above is allowed. In the event of arrest/surrender within a period of four weeks from today, let the petitioners as mentioned above be released on bail on furnishing bail bond of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of the I/C Chief Judicial Magistrate, Sitamarhi in Sitamarhi (Mehsaul OP) Police Station Case No. 1098 of 2017 on the following conditions:-

One of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to



how they are related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners and

The Petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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