

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16360 of 2019

Arising Out of PS. Case No.-509 Year-2018 Thana- KESARIA District- East Champaran

1. SHALIL MIYAN @ SHALIL MIAN, Son of Late Ganni Mian
 2. Nooraisha Khatoon, Wife of Shalil Miyan @ Shalil Mian
 3. Kainoor Ansari @ Kainoor Miya @ Kainur Ansari, Son of Shalil Miyan @ Shalil Mian
- All are residents of Village - Rampur, Bairiya Tola- Alehpur, P.S.- Kesariya,
District - East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar
For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 15-03-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Kesariya Police Station Case No. 509 of 2018, disclosing offences under Sections 341/323/324/307/34 of the Indian Penal Code.

Learned Counsel appearing on behalf of the petitioners appears to be correct in his submission that there is allegation of assault against co-accused, Sainur Miya and Shamim Mian. So far as these petitioners are concerned, there is general and omnibus allegation of assault. There is counter case



also in respect of the same occurrence which appears to have taken place because the accused persons were allegedly destroying the crop grown in the field of the informant.

Considering the background in which the occurrence is said to have taken place, this application is allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari, in connection with Kesariya Police Station Case No. 509 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

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