

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12668 of 2019**

Arising Out of PS. Case No.-644 Year-2018 Thana- SHEKHPURA District- Sheikhpura *

1. Awinash Kumar S/o Ishwar Mahto Resident of village-Sheikhpura, P.S and District-Sheikhpura.
2. Awadhesh Mahto S/o Indradeo Prasad Resident of village-Sheikhpura, P.S and District-Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Anjani Pd. Singh

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 01-03-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application for anticipatory bail, arises out of Sheikhpura Police Station Case No. 644 of 2018, disclosing offences punishable under Sections 147, 148, 149, 341, 323, 353, 504 and 506 of the Indian Penal Code.

Allegedly in course of patrolling, a tractor loaded with illegally extracted sands was detected and seized by a police party. Thereafter nearly 100 persons of the village concerned, including 18 persons named in the First Information Report, allegedly gathered and attacked the police team. The accused persons are said to have taken away the tractor also with them, thereafter, which was seized by the police.



Learned counsel, appearing on behalf of the petitioners is correct in his submission that allegation against the petitioners is general and omnibus.

In view of the submission, as above, 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) each, with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sheikhpura in connection with Sheikhpura Police Station Case No. 644 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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