

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15482 of 2019

Arising Out of PS. Case No.-151 Year-2018 Thana- GAMAHAIRIYA District- Madhepura

1. MD. HABIB Son of Md. Mahir Resident of Village- Chandanpatti, P.S.- Gamhariya, District- Madhepura.
2. Mustuph @ Mustup Son of Late Majnum Miyan Resident of Village- Chandanpatti, P.S.- Gamhariya, District- Madhepura.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ranjay Kumar Singh
For the Opposite Party/s : Mr.Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 13-03-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Gamhariya P.S. Case No. 151 of 2018 for the offence under Sections 147, 148, 149, 341, 323, 379, 380, 307, 427, 436, 504 and 506 of the Indian Penal Code.

From the First Information Report, it transpires that despite certain prohibitory orders passed under Section 144 of the Cr.P.C., certain constructions were being made over the disputed land. The co-accused Md. Kadir was trying to take snap of the said construction. Scuffle appears to have taken place therefor. There is allegation against co-accused Md. Kadir of having assaulted the informant's son with *farsa* in his head. There is also allegation of snatching of golden chain and taking



away of a box containing certain articles.

Learned counsel appearing on behalf of the petitioners has submitted that there is no specific allegation of assault against these petitioners.

Considering the nature of accusation, this application is allowed.

Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, 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 A.C.J.M.-IV, Madhepura, in Gamhariya P.S. Case No. 151 of 2018, subject to the conditions as 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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