

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22319 of 2019

Arising Out of PS. Case No.-1025 Year-2018 Thana- FORBESGANJ District- Araria

MD. TOHID Son of Late Makbool Resident of Village- Rampur, P.S.-
Forbesganj, Dist- Araria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Mandal

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 09-04-2019 Heard the parties.

The petitioner seeks anticipatory bail in connection with Forbesganj P.S. Case No. 1025 of 2018, registered for offences punishable under Sections 147, 148, 149, 341, 303, 307, 353, 379, 504 and 506 of the Indian Penal Code.

As per F.I.R., allegation against the petitioner is that all the accused persons named in the F.I.R. including the petitioner and 50 unknown persons were cutting and transporting the soil from the canal near the village- Rampur North and consequently, raid was conducted but on seeing the authorities of the administration, all the accused persons came and forcibly set free the seized tractor from the guard namely, Bindeshwari Shukla, who disclosed the name of the accused persons including the petitioner.

Submission of the learned counsel for the petitioner is that the allegation is general and omnibus in nature and there



was no occasion to assault any of the member of the administration and the similarly situated person has been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 29.03.2019, passed in Cr. Misc. No. 19074 of 2019 and no specific allegation has been attributed against the accused person.

Learned A.P.P. opposes the prayer for bail.

Having heard both sides and in view of the facts and circumstances, as discussed above, let the petitioner, above named, in the event of his arrest or surrender, be released on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each in connection with Forbesganj P.S.Case No. 1025 of 2018, to the satisfaction of learned Chief Judicial Magistrate, Araria, District- Araria, subject to the conditions as laid down under Section 438 (2) of Cr.P.C. with condition that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.

sudha/-

(Vinod Kumar Sinha, J)

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