

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22955 of 2019

Arising Out of PS. Case No.-235 Year-2018 Thana- MIRGANJ District- Gopalganj

1. Ram Pravesh Mallah (Male aged about 59 years) Son of Late Nageshwar Mallah
2. Chathu Mallah (Male aged about 38 years) son of Late Nageshwar mallah
3. Hari Shankar Sah (Male aged about 60 years) Son of Late Sukhari Sah.
4. Mukesh Kumar Sah @ Mukesh Sah (Male aged about 32 years) son of Hari Shankar Sah
5. Dhanu Mallah (Male aged about 18 years) Son of Adalat Mallah
6. Abhay Mallah (Male aged about 18 years) Son of Ramajee Mallah
7. Daud Mallah @ Daul Mallah (Male aged about 75 years) Son of Late Parishan Mallah
8. Jay Prakash Mallah (Male aged about 20 years) Son of dhruv Mallah
9. Mantu Mallah (Male aged about 20 years) Son of Adalat Mallah
All resident of Village - Badarjimi, P.S.- Mirganj, Distt.- Gopalganj.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Brij Bihari Tiwary
For the Opposite Party/s : Mr.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 22-07-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners are seeking anticipatory bail in connection with Mirganj P.S. Case No. 235/2018 registered under Sections 147/148/149/307/380/504/427/435 of the I.P.C. and Section 27 of the Arms Act.

Learned counsel for the petitioners submits that altogether 71 persons have been named accused in the present case. It is stated that one of the accused had lodged one F.I.R. (Annexure '2') against the Dewar of the informant. Police had



also lodged one F.I.R. (Annexure '3') against her Dewar and the allegations against the Dewar of the informant was that he had fired upon one Saral Mallah. It is submitted that there is no specific allegation against these petitioners and some of the co-accused similarly situated have been granted privilege of anticipatory bail by learned coordinate Bench of this court in Cr. Misc. No. 65224/2018 and Cr. Misc. No. 612/2019.

Learned counsel for the State is present and does not dispute the factual position that similarly situated accused have been granted privilege of anticipatory bail.

In the given facts and circumstances of the case, in the event of their arrest/surrender before the court below within a period of four weeks, let the above-named petitioners be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj, in connection with Mirganj P.S. Case No. 235/2018, subject to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

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