

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42024 of 2019

Arising Out of PS. Case No.-438 Year-2017 Thana- SIWAN MUFFASIL District- Siwan

1. Mahesh Kumar Son of Jawahir Mahato, Resident of Village- Barhan Gopal P.S.- Siwan (Muffasil) District- Siwan.
2. Manoj Kumar Son of Dhrup Ram, Resident of Village- Barhan Gopal P.S.- Siwan (Muffasil) District- Siwan.
3. Ram Bilash Ram Son of Ganga Charan Ram, Resident of Village- Barhan Gopal P.S.- Siwan (Muffasil) District- Siwan.
4. Moti Lal Ram Son of Baliram Ram, Resident of Village- Barhan Gopal P.S.- Siwan (Muffasil) District- Siwan.
5. Ranjan Kumar Son of Late Ramagya Ram, Resident of Village- Barhan Gopal P.S.- Siwan (Muffasil) District- Siwan.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramchandra Sahni, Advocate
For the Opposite Party/s : Mr.Radha Mohan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 29-08-2019 Heard learned counsel for the petitioners and learned
APP for State.

The petitioners in this case are seeking anticipatory
bail in connection with Siwan (Muffasil) P.S. Case No. 438 of
2017 registered for the offences punishable under Sections 147,
148, 149, 323, 332, 333, 353, 188, 294, 290, 291 of the Indian
Penal Code and Section 9 of Bihar Control Loud Speak Act and
2/4/4/10 of Protection of Children from Sexual Offences Act,
2012.



Learned counsel for the petitioners submits that there are general and omnibus allegation against the 150-200 persons. Some of the similarly situated accused have been granted privilege of anticipatory bail by the learned Co-ordinate Bench of this Court as contained in Annexure '3' to the application.

Learned A.P.P. for the State does not dispute the factual position that there are general and omnibus allegation.

In the aforesaid view of the matter, considering that there is no specific allegation against the petitioners and that co-accused have been granted privilege of anticipatory bail, let the petitioners above named in the event of their arrest or surrender within a period of four weeks from today, be enlarged on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Siwan (Muffasil) P.S. Case No. 438 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any



person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

vats/ved

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