

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27484 of 2019

Arising Out of PS. Case No.-36 Year-2019 Thana- TARABARI District- Araria

1. MD. KHURSHID @ KHURSHID, Son of Md. Yusuf Resident of Village - Baturbari Ward No. 12, P.S.- Tarabari, District- Araria
2. Md. Murshid @ Murshid Ahmad, Son of Md. Yusuf Resident of Village - Baturbari Ward No. 12, P.S.- Tarabari, District- Araria
3. Md. Sarwar @ Sawar, Son of Md. Yusuf Resident of Village - Baturbari Ward No. 12, P.S.- Tarabari, District- Araria
4. Md. Yusuf @ Yusuf Son of Ghotan, Resident of Village - Baturbari Ward No. 12, P.S.- Tarabari, District- Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 26-04-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

This application for anticipatory bail, arises out of Tarabari Police Station Case No. 36 of 2019, disclosing offences punishable under Sections 341, 323, 147, 148, 379, 353, and 384/34 of the Indian Penal Code.

There is allegation of assault and snatching of a sum of Rs. 15,00/- and a mobile phone against the accused persons.

Referring to the First Information Report, learned counsel, appearing on behalf of the petitioners, has submitted



that because of political rivalry, the wife of petitioner no. 4 and his three sons have been implicated. Petitioner nos. 1, 2 and 3 are sons of petitioner no. 4. It has also been argued that it is highly improbable that such incident shall take place in broad daylight that too, for the purpose of snatching of money and mobile phone by persons known to the victim. About the criminal antecedent as as been stated in paragraph 3 of the application, it has been argued that those cases also are because of such rivalry.

Considering the nature of accusation and submission so advanced on behalf of the petitioners, 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 S.D.J.M. Araria in connection with Tarabari Police Station Case No. 36 of 2019, 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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