

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29277 of 2019

Arising Out of PS. Case No.-59 Year-2018 Thana- BALTHAR District- West Champaran

ASRAF MIYAN @ SHEIKH ASRAF MIYAN @ SK. ASRAF Son of Sheikh
Mustafa, Resident of Village - Sirisiya, P.S.- Sikta, Distt - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma
For the Opposite Party/s : Mr.Anish Chandra

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 03-05-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

In this case, the petitioner is seeking anticipatory
bail in connection with Balther P.S. Case No. 59 of 2018
registered for offence punishable under sections 145, 147, 149,
151, 152, 353, 341 of the Indian Penal Code.

From the FIR it appears that on account of death of
Mohammad Quaish, the villages and relatives of Md. Quaish
started agitating for arresting of the guilty persons and for that
they have paralyzed the main road by keeping the dead body in
the main road. The police tried to pacify the matter, but they
started squabbling with the police party and after great
struggle, the aggressive mob was removed.

The learned counsel for the petitioner submits that



there is no specific allegation made against this petitioner.

Looking to the facts and circumstances of the case, the prayer for bail of the petitioner is allowed and he, in the event of arrest or surrender before the court below within six weeks from today, is directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-VII, Bettiah, West Champaran in connection with Balthar P.S. Case No. 59 of 2018, subject to the conditions as laid down under section 438 Cr. PC and also subject to the 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. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Shivaji Pandey, J)

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