

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49980 of 2019

Arising Out of PS. Case No.-35 Year-2019 Thana- PUWAKHALI District- Kishanganj

1. AKBAR @ BHUTTU @ AKBAR ALI Son of Rezabul Resident of Village - Pabna, P.S.- Powakhali, District - Kishanganj
2. Azad @ Md. Azad Ali Son of Rezabul Resident of Village - Pabna, P.S.- Powakhali, District - Kishanganj
3. Sanjay Singh @ Sanjay Kumar Singh Son of Rambalak Singh Resident of Village - Sish Gachhi, P.S.- Powakhali, District - Kishanganj
4. Rashid @ Abdul Rashid Son of Mansoor Alam Resident of Village - Hocha Toli Dota Bari, P.S.- Powakhali, District - Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ram Prawesh Kumar
For the State	:	Mr. R.B.Roy 'Raman', APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 09-08-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Powakhali P.S. Case No. 35 of 2019, disclosing offences under Sections 147, 149, 341, 323, 332, 353, 504 and 506 of the Indian Penal Code.

It appears from the FIR that when the District Transport Officer was conducting checking on national highway at Thakurganj main road, he was obstructed from discharging his duties and manhandled. It has been alleged that when the police party reached there, a number of persons had assembled



there, raising slogans against the District Transport Officer. There is allegation that the persons named in the FIR and others completely disrupted the traffic on the road.

Learned counsel for the petitioners has submitted that there is no specific allegation against them of any overt act.

Considering the general nature of allegation, this application is allowed. Let the petitioners, above named, in the event of their arrest/surrender within six weeks from today in the court below, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each, with two sureties of the like amount each, to the satisfaction of Sri D.K.Pandey, learned J.M. 1st Class, Kishanganj in connection with Powakhali P.S. Case No. 35 of 2019, subject to the condition as 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.

It is further directed that the District Magistrate, Kishanganj, will be required to consider whether this is a fit case for invocation of the Bihar Collective Fines (Imposition)



Act, 1982.

Let a copy of this order be communicated to the
District Magistrate, Kishanganj, forthwith.

(Chakradhari Sharan Singh, J)

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