

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57881 of 2019**

Arising Out of PS. Case No.-126 Year-2019 Thana- BIHARIGANJ District-
Madhepura

- =====
1. BAUKU KUMAR @ CHHOTU KUMAR @ CHHOTESH KUMAR, aged about 24 years, male, Son of Bhola Sah Resident of Village- Sarauni Kala, Police Station- Bihariganj, District- Madhepura.
 2. Anil Sah @ Amresh Kumar Sah Son of Yogendra Sah Resident of Village- Sarauni Kala, Police Station- Bihariganj, District- Madhepura.
 3. Dharmendra Kumar @ Dharmendra Kumar Rai Son of Bhikhari Mehra Resident of Village- Sarauni Kala, Police Station- Bihariganj, District- Madhepura.
 4. Pankaj Kumar @ Bablu @ Pankaj Kumar Gupta @ Bablu Son of Bhola Sah Resident of Village- Sarauni Kala, Police Station- Bihariganj, District- Madhepura.
 5. Guddu Kumar Son of Kailash Chaudhary Resident of Village- Sarauni Kala, Police Station- Bihariganj, District- Madhepura.
 6. Manish Kumar @ Manish Kumar Paswan Son of Kulo Paswan Resident of Village- Sarauni Kala, Police Station- Bihariganj, District- Madhepura.
 7. Jai Krishna Thakur S/O Hardeo Thakur Resident of Village- Sarauni Kala, Police Station- Bihariganj, District- Madhepura.
 8. Mani Lal Mehra @ Mani Lal Ram Son of Saryug Ram @ Garbhu Ram Resident of Village- Sarauni Kala, Police Station- Bihariganj, District- Madhepura.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioners : Mr. Uday Chand Prasad, Advocate.

For the Opposite Party: Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 12-09-2019

Heard learned counsel for the petitioners and learned

APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 153(A), 295, 295(A) of the Indian



Penal Code registered in connection with Bihariganj P.S. Case No. 126 of 2019.

3. It is submitted that the petitioners have been falsely implicated on the accusation that the accused persons including the petitioners raised slogans against a certain religion and resorted to firing. It is submitted that the accusations are general and omnibus and no injury has been caused to anyone. Similarly situated co-accused person has been granted anticipatory bail by this Court by order dated 09.08.2019 in Cr. Misc. No. 50019 of 2019. The petitioners claim clean antecedents.

4. Be that as it may, in the event of the petitioners' arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate Ist Class, Udakishunganj, Madhepura in connection with Bihariganj P.S. Case No. 126 of 2019, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioners.

(ii) That the petitioners shall not indulge in any similar offence till conclusion of the trial.



(iii) That the petitioners shall cooperate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) That the petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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