

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59724 of 2019

Arising Out of PS. Case No.-235 Year-2018 Thana- MIRGANJ District- Gopalganj

Manejar Mallah @ Manejar Sahani Son of Satynarayan Mallah Resident of
Village-Badarjimi, P.S.-Mirganj, District-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan, Advocate
For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 24-09-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner apprehends his arrest in connection with Mirganj P.S. Case No. 235 of 2018, registered under Sections 147, 148, 149, 307, 380, 504, 427 and 435 of the Indian Penal Code and Section 27 of Arms Act.

The allegation against the petitioner is that the petitioner along with other accused persons attacked the house of the informant and also fired on the house of the informant.

Learned counsel for the petitioner submits that the petitioner along with 70 persons have been made accused i.e. almost all the male members of the village. He further submits that some of the co-accused persons have lodged FIR against the *Dewar* of the informant with allegation that he had fired on one



Saral Mallah. He further submits that from perusal of the FIR, it would be apparent that there is no specific allegation of firing and assault.

Learned counsel for the petitioner relying upon Annexure Nos. 2, 3 and 4 of this application submits that similarly situated persons have been granted bail by this Court.

After having heard learned counsel for the parties and taking into consideration the fact that no specific allegation of assaulted is there upon the petitioner and similarly situated persons have been granted anticipatory bail by this Court, I am inclined to grant anticipatory bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from today, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-XVI, Gopalganj in connection with Mirganj P.S. Case No. 235 of 2018; subject to condition as laid down hereinabove and under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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