

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64990 of 2019

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

SADDAM @ SADDAM HUSSAIN S/o Karamtulla R/o village- Bhatta
Chowk, Bandarjhula, P.S.- Jia Pokhar, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar
For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 18-10-2019 Petitioner seeks bail in anticipation of his arrest in connection with Powakhali P.S. Case No. 35 of 2019, registered for the offences punishable under Sections 147, 149, 341, 323, 332, 353, 504, 506 of the Indian Penal Code.

As per F.I.R. D.T.O. Kishanganj intercepted an overloaded sand truck. However, the petitioner and other accused persons came there and started blocked of the road and not allowed the D.T.O. to collect the fine.

Submission of the learned counsel for the petitioner is that he has already deposited the fine amount and there is no specific allegation against him and other accused persons have been granted privilege of anticipatory by different co-ordinate Bench of this Court vide order dated 09.08.2019 passed in Criminal Misc. No. 49980 of 2019 and order dated 19.09.2019



passed in Criminal Misc. No. 58499 of 2019.

On the other hand, learned A.P.P. has opposed the prayer of bail on the ground that petitioner happens to be owner of the truck and his name transpires in the F.I.R.

Having heard both sides, considering the above submission, this application allowed. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Five Thousand) with two sureties of the like amount to the satisfaction of learned C.J.M. Kishanganj, in connection with Powakhali P.S. Case No.-35 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure and further condition is that one of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the Court concerned.

(Vinod Kumar Sinha, J)

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