

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71121 of 2019

Arising Out of PS. Case No.-163 Year-2019 Thana- SISWAN District- Siwan

1. Firoz Hasmi, Son of Noor Hassan @ Noor Hasan
2. Md. Azad, Son of Habibullah Raine @ Munna Ali
3. Md. Raza, Son of Munna Ali @ Habibillah Raine
4. Makhan Khan, Son of Shahjahan Khan
5. Monu Kumar @ Monu Haluwai @ Monu Srivastva, Son of Shivkumar Haluwai @Shiv Kumar Srivastava
6. Mithu Miya, Son of Mim Miya @ Bib Mian
7. Marai Miya, Son of Late Noor Md. @ Sanuki Haluwai @ Noor Mohammad Miya
8. Sunil Kumar @ Sunil Haluwai, Son of Joginder Haluwai
All are Residents of Village - Chainpur, P.S.- Siswan (Chainpur O.P.),
District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyendra Rai

For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners in this case are seeking anticipatory
bail in connection with Siswan (Chainpur O.P.) P.S. Case
No.163 of 2019 registered for the offences punishable under
Sections 147, 148, 149, 143, 341, 323, 307, 353, 337 and 385 of
the Indian Penal Code.

Learned counsel for the petitioners submits that the



petitioners are innocent and have falsely been implicated in this case. Learned counsel submits that there are general and omnibus allegations against the petitioners.

Learned APP for the State is present and has opposed the prayer for anticipatory bail of the petitioners.

Considering the facts and circumstances of the case wherein it seems that in a road accident when two persons were injured and a girl died, there were protest by about 100-120 persons who were allegedly involved in blocking of road at Siswan, Chainpur, the allegation against the petitioners is that they were amongst the 45 named persons and were involved in pelting stone, and the contention of learned counsel for the petitioners is that no weapon has been attributed to them in the FIR as also the allegations are only general and omnibus and further that these petitioners have got no criminal antecedent, let the petitioners in the event of their arrest or surrender within a period of four weeks from today, be enlarged on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IV, Siwan in connection with Siswan (Chainpur O.P.) P.S. Case No.163 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. i.e.



(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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