

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72736 of 2019

Arising Out of PS. Case No.-441 Year-2018 Thana- BARARI District- Katihar

1. Mukesh Kumar Choudhary @ Mukesh Choudhary Son of Basudeo Choudhary Resident of Village - Guru Bazar, Police Station - Barari, District- Katihar.
2. Sanjeev Kumar @ Kailu @ Kalu Son of - Nandlal Mehta Resident of Village - Guru Bazar, Police Station - Barari, District- Katihar.
3. Prem Jha Son of - Late Keshav Jha Resident of Mohalla - Hospital road(Guru Bazar), Police Station - Barari, District- Katihar.
4. Brajesh Kumar Son of - Radhe Prasad Resident of Village - Guru Bazar, Police Station - Barari, District- Katihar.
5. Pranay Raj @ Pranay Raj Choudhary Son of - Manoj Choudhary Resident of Village - Barinagar (Thakur Bari Tola), Police Station - Barari, District- Katihar.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pawan Kumar Singh, Advocate
For the Opposite Party/s : Mr.Kumar Veerendra Narayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Petitioners in the present case are seeking anticipatory bail in connection with Barari P.S. Case No. 441 of 2018 registered for the offences punishable under Sections 147, 149, 341, 307, 353, 427, 431, 435 and 504 of the Indian Penal Code.

Learned counsel for the petitioner submits that the F.I.R. has been lodged against 50-60 unknown persons, the



allegations are general and omnibus and these petitioners have been made accused in this case only on mere suspicion as they are the villagers of the said deceased whose dead body was lying on the road. The petitioners have no criminal antecedent.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of this case, wherein it is the submission of learned counsel for the petitioners that the F.I.R. has been lodged against 50-60 unknown persons, the allegations are general and omnibus and these petitioners have been made accused in this case only on mere suspicion as they are the villagers of the said deceased whose dead body was lying on the road as also that they have no criminal antecedent, let the petitioners above named in the event of their arrest or surrender within a period of four weeks from today be enlarged on bail on furnishing bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-Vth, Katihar in connection with Barari P.S.Case No. 441 of 2018, 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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