

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73008 of 2019

Arising Out of PS. Case No.-195 Year-2018 Thana- SIDHWALIYA District- Gopalganj

1. Nathuni Thakur @ Nathuni Sharma Son of Bangali Thakur Resident of Village - Sher, Police Station - Sidhwalia, District - Gopalganj.
2. Santosh Sharma Son of Nathuni Thakur @ Nathuni Sharma Resident of Village - Sher, Police Station - Sidhwalia, District - Gopalganj.

... .. Petitioners

Versus

The State Of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr.Javed Aslam, Advocate

For the Opposite Party : Mr.Ajit Kumar, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-11-2019

Heard learned counsel for the parties.

Petitioners apprehend arrest in a case registered for the offence punishable under section 379 and other allied sections of the Indian Penal Code.

On the order of Petitioner no.1, all the accused persons including petitioner no.2 entered into the house of the informant and committed lootpat. Petitioner no.2 caught her hair and pulled down. He also tore her clothes.

Learned counsel for the petitioners submits that the petitioners are merely members of mob without any attribution of specific allegation.

In view of the facts and circumstances of the case, prayer for bail of petitioner no.2, as named above, is rejected with direction to surrender and seek regular bail within six weeks, which would be disposed of on its own merit without prejudice.

Prayer for bail of petitioner no.1 is allowed. Let the petitioner no.1, as named above, in the event of arrest/surrender



within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate VI, Gopalganj in Sidhwalia Police Station Case No. 195 of 2018, on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tempers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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