

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79840 of 2019

Arising Out of PS. Case No.-38 Year-2016 Thana- KATEYA District- Gopalganj

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1. NATHUNI ANSARI @ NATHUNI MIYAN Son of Mahboob Miyan @ Mahboob Ansari Resident of Village - Batal Chauraha, P.S.- Kateya, District- Gopalganj
 2. Khalil Miyan @ Khalil Ansari Son of Olayat Miyan Resident of Village - Batal Chauraha, P.S.- Kateya, District- Gopalganj

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam
For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 16-12-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are seeking anticipatory bail in connection with Kateya P.S. Case No. 38 of 2016 registered under Sections 147, 148, 149, 341, 323, 337, 338, 307, 297, 504, 506, 120B of the Indian Penal Code.

Learned counsel for the petitioners submits that there is no specific allegation against the petitioners of causing assault and similarly situated co-accused have been granted privilege of anticipatory bail by learned coordinate Bench of this court in Cr. Misc. No. 28608/2016.

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



anticipatory bail of the petitioners.

Considering the facts and circumstances of the case wherein the submission of learned counsel for the petitioners that there is no specific allegation against them of causing assault, has not been controverted on behalf of the State and further that there are 45 named persons and about 300 unknown persons named in the F.I.R. and some of the similarly situated co-accused have been granted privilege of anticipatory bail by learned coordinate Bench of this court in Cr. Misc. No. 28608/2016, let the above-named petitioners, in the event of their arrest/surrender before the court below within a period of four weeks, be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - XV, Gopalganj, in connection with Kateya P.S. Case No. 38 of 2016, subject to 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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