

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79176 of 2019

Arising Out of PS. Case No.-92 Year-2019 Thana- DAWATH District- Rohtas

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1. BATTER KHAN, Male, aged about 50 years, son of Late Bhola Khan.
 2. Akbar Khan, Male, aged about 45 years, son of Irsad Khan.
 3. Samshad Khan, Male, aged about 40 years, Son of Nausad Khan.
 4. Naggi Khan @ Najji, Male, aged about 35 years, Son of Late Chhotak Khan.
- All are resident of Village- Babhanaul, P.S.- Dawath, District- Rohtas.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

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

In this case, the petitioners are seeking anticipatory bail in connection with Dawath P.S. Case No. 92 of 2019, registered for the offence under Sections 147, 148, 149, 341, 323, 353, 307, 188, 153(A), 295(A) of the Indian Penal Code and under Section 27 of the Arms Act.

The dispute occurred between two communities i.e. Yadav community and Muslim community and both the communities assaulted each other. F.I.R. has been lodged against 40 named persons and 50 unknown persons.

Learned counsel for the petitioners submits that no



specific allegation has been made against these petitioner.

Looking to the entire facts and circumstances of the case, let the petitioners, above named, be released on anticipatory bail in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of the A.C.J.M., Bikramganj (Rohtas), in connection with Dawath P.S. Case no.92 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure. Further condition is that whenever the police will call the petitioners for the purposes of investigation and interrogation, they will remain present for the investigation. In the event of being absent on two consecutive dates without reasonable explanation, the present order will be treated to have been cancelled. This is also subject to the condition that if the petitioners would be found involved in similar type of act in future, the prosecution will be at liberty to make prayer for cancellation of bail of the petitioners.

(Shivaji Pandey, J)

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