

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77147 of 2018

Arising Out of PS. Case No.-140 Year-2017 Thana- KASBA District- Purnia

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1. MD. MOJAHID @ MUJAHID S/o Shafique, R/o Vill.- Dinapur, P.S.- Jalalgarh, District- Purnea.
 2. Tanzeel Alam @ Md. Tanzeel Alam @ Tanzeel S/o Masood, R/o Vill.- Lakhna , P.S.- Kasba, District- Purnea.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Mallick

For the Opposite Party/s : Mr.Sri Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

4 15-03-2019 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 149, 323, 332, 333, 353, 379, 307, 504, 506 IPC and Section 3 and 4 of the Damage to Public Property Act registered in connection with Kasba P.S. Case No. 140/2017.

3. It is submitted that the petitioners have been falsely implicated and the FIR is against 38 named and 500-600 unknown persons. No specific overt act of assault has been attributed to the petitioners. There is no injury to corroborate the accusation of assault. Several similarly situated persons have been granted anticipatory bail by this Court in Cr. Misc. No.51455 of 2018. The petitioners claim clean antecedents.

4. Be that as it may, in the event of the petitioners arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioners be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of



learned CJM, Purnea, in connection with Kasba P.S. Case No. 140/2017, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions:

- i. That one of the bailors shall be a close relative of the petitioners.
- ii. That the petitioners shall not indulge in any similar offence till conclusion of the trial.
- iii. That the petitioners shall co-operate with the investigation, if not already concluded, and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.
- iv. The petitioners shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, their bail bonds shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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