

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16906 of 2020

Arising Out of PS. Case No.-422 Year-2019 Thana- BELAGANJ District- Gaya

1. MD. ARMAN @ MD. ARMAN ALAM Son of Md. Bholu Mian Resident of Village - Samaspur, P.S.- Belaganj, Distt - Gaya.
2. Md. Mister Son of Late Md. Idrish Resident of Village - Samaspur, P.S.- Belaganj, Distt - Gaya.
3. Md. Sarbar Ansari @ Sarbar Ansari Son of Ahmad Ansari Resident of Village - Samaspur, P.S.- Belaganj, Distt - Gaya.
4. Jehangir @ Jehangir Ansari Son of Kulur Ansari Resident of Village - Samaspur, P.S.- Belaganj, Distt - Gaya.
5. Md. Monu @ Monu Ansari @ Bhonu Ansari Son of Sadhu Ansari Resident of Village - Samaspur, P.S.- Belaganj, Distt - Gaya.
6. Md. Haider Ali @ Md. Haider Ansari Son of Feku Ansari @ Alamgir Resident of Village - Samaspur, P.S.- Belaganj, Distt - Gaya.
7. Md. Safi Alam @ Safi Ansari Son of Feku Ansari @ Alamgir Resident of Village - Samaspur, P.S.- Belaganj, Distt - Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar

For the Opposite Party/s : Mr.Madan Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 07-08-2020 It appears that on account of inadvertence, an order passed in some other case, calling for a legible carbon/ Xerox copy of the case diary, has been printed and uploaded by way of Order No. 2 dated 10.07.2020 whereas the fact is that the petitioners were granted the privilege of anticipatory bail on the said day, hence the aforesaid Order No. 2 dated 10.07.2020 is recalled and directed to be substituted by the following Order:-



"The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioners and Mrs. Anita Kumari Singh, the Ld. A.P.P appearing for the State.

The petitioners apprehend their arrest in connection with Belaganj P.S. Case No. 422 of 2019 for the offence punishable under Sections 147, 149, 341, 323, 353 and 188 of the Indian Penal Code.

The allegation is regarding a person having died at Hanuman Nagar colony on account of electric shock, whereafter the accused persons including the petitioners herein had taken the dead body of the deceased and kept it on the Belganj National Highway- 83 as also had jammed the road along with 50 unknown miscreants leading to the District Magistrate and Superintendent of Police, Jehanabad being delayed in attending official work at Gaya.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and are having a clean antecedent. It is further submitted that as far as the petitioners are



concerned, there is neither any allegation regarding them having engaged in any sort of overt act or them having obstructed the vehicle of the officers, hence the petitioners deserve to be granted the privilege of anticipatory bail.

The learned Additional Public Prosecutor has vehemently opposed the prayer for regular bail.

Having regard to the facts and circumstances of the case, considering the submissions advanced by the learned counsel for the petitioners and taking into account the fact that no specific allegation of any sort has been levelled as against the petitioners herein, apart from the fact that they are having a clean antecedent, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, the petitioners, above-named, are directed to be released on anticipatory bail on furnishing bail-bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. XI, Gaya in connection with Belaganj P.S. Case No. 422 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr. P.C."



The order dated 10.07.2020 stands recalled and substituted to the aforesaid extent.

(Mohit Kumar Shah, J)

Tiwary/-

U		T	
---	--	---	--

