

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15022 of 2020**

Arising Out of PS. Case No.-130 Year-2019 Thana- KISHANGANJ District- Kishanganj

1. Md. Munna @ Munna @ Samim Akhtar S/o Samiruddin R/o village- Teosa, P.S.- Kishanganj, District- Kishanganj
2. Shoeb Ali @ CF @ Soyab Ali S/o Late Roshan Ali R/o village- Teosa, P.S.- Kishanganj, District- Kishanganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Radha Mohan Singh

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-07-2020 Heard learned counsel for the parties through video conferencing.

The petitioners apprehend their arrest in Kishanganj P.S. Case No. 130 of 2019 registered for the offence under Section 307 & other allied sections of the Indian Penal Code.

As per prosecution case, the informant received secret information that Gulam Mustafa, an FIR named accused of Kishanganj P.S. Case No. 128 of 2019, alongwith some other accused were collecting *Rangdari* from the over-loaded vehicle and as such, the police team reached at that place. It is further alleged that after seeing the police party, all started fleeing away and on the instruction of Gulam Mustafa, other accused persons, named in the present FIR, caused hurdle to police team in discharge of their official duties.

It is submitted on behalf of petitioners that petitioners are innocent and have falsely been implicated in this case. There



is general and omnibus allegation and no specific overt act has been attributed against petitioners. It is further submitted that similarly situated co-accused persons namely Md. Raja @ Muntazir Alam and Md. Kadir Alam @ Md. Quadir have already been granted bail by this Court, vide order dated 26-02-2020 passed in Cr.Misc. No. 2357 of 2020.

Considering the aforesaid facts and circumstances, the anticipatory bail application is allowed.

In the event of arrest or surrender within a period of six weeks from today, let the above-named petitioners be enlarged on bail on furnishing bail bonds of Rs. **10,000/-** (ten thousand) each with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Kishanganj** in connection with **Kishanganj P.S. Case No. 130 of 2019**, subject to condition as laid down under Section 438(2) of the Cr.P.C. with further conditions that petitioners shall cooperate in the trial and shall remain physically present on each & every date fixed by the court below. If continuously on two dates petitioners remain absent, without prior permission of the court below, their bail-bonds shall stand automatically cancelled.

(Prabhat Kumar Singh, J.)

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