

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64653 of 2019

Arising Out of PS. Case No.-96 Year-2017 Thana- HASANPUR District- Samastipur

1. JITENDRA SAHANI S/O Banke Sahni Resident of village- Dudhpura, P.S.- Hasanpur, District - Samastipur.
2. Md. Jakir @ Md. Jakir Hussain @ Jakir Hussain S/O Late Md. Shekh Dhanraj Resident of village- Dudhpura, P.S.- Hasanpur, District - Samastipur.
3. Md. Babar @ Md. Babar Hussain S/O Late Md. Shekh Dhanraj Resident of village- Dudhpura, P.S.- Hasanpur, District - Samastipur.
4. Md. Akbar @ Md. Akbar Hussain S/O Md. Babar Resident of village- Dudhpura, P.S.- Hasanpur, District - Samastipur.
5. Umati Khatun W/O Md. Anjar Resident of village- Dudhpura, P.S.- Hasanpur, District - Samastipur.
6. Mumtaz Khatun D/O Md. Anjar Resident of village- Dudhpura, P.S.- Hasanpur, District - Samastipur.
7. Md. Anjar S/O Nur Mohammad Resident of village- Dudhpura, P.S.- Hasanpur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Anand

For the Opposite Party/s : Mr. Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 04-03-2020 Heard the learned counsel for the petitioners and the learned APP for the State.

This is an application for grant of anticipatory bail in connection with Hasanpur P.S. Case No. 96 of 2017, registered for the offence punishable under Sections 147, 148, 186, 323, 332, 337, 341, 353, 379, 427, 504 and 506 of the Indian Penal Code.



The allegation is regarding 44 FIR named accused persons and about 500 unknown persons having formed a mob whereafter they had assembled at the place of occurrence and blocked the road on account of one of the co-villager having been injured. It is further alleged that the said mob had engaged in stone pelting, obstructing the police from discharging its duties as also had engaged in damaging government jeep and pelting stones on the police.

The learned counsel for the petitioners has submitted that the petitioners are innocent and they have been falsely implicated in the present case merely on the basis of information submitted before the police by the village chaukidar as also the local villagers, however, the petitioners had not participated in the alleged incident. It is further submitted that the petitioners are having a clean antecedent.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the petitioners are directed to be enlarged on anticipatory bail, in the event of their arrest or surrender before the court below within a period of four weeks



from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, 3rd, Rosera in connection with Hasanpur P.S. Case No. 96 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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