

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71587 of 2019

Arising Out of PS. Case No.-263 Year-2019 Thana- SUGAULI District- East Champaran

1. SHALU MIAN S/O Mokhatar Mian R/O Vill Sugauli Bazar Ward No. 7, P.S. Sugauli, Dist.- East Champaran.
2. Md. Arman S/O Abdul Kayum R/O Vill Sugauli Bazar Ward No. 7, P.S. Sugauli, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar No 2

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 06-03-2020 At the outset, the learned counsel for the petitioners seeks to withdraw the present petition *qua* the petitioner no. 1 in order to enable him to surrender before the learned court below and seek regular bail.

Accordingly, the present petition *qua* the petitioner no. 1 stands dismissed as withdrawn, however with liberty to the petitioner no. 1 to surrender before the learned court below and seek regular bail.

Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Sugauli PS case no. 263 of 2019 registered



for the offences punishable under Sections 307, 379 and other sections of Indian Penal Code.

The allegation is regarding the accused persons having arrived at the house of the informant, whereafter they are said to have assaulted the members of the prosecution party and as far as petitioner no. 1 is concerned, he is said to have assaulted the son of the informant resulting in serious injuries on his person.

The learned counsel for the petitioners has submitted that as far as petitioner no. 2 is concerned, he is innocent, is having clean antecedent and no specific allegation of any sort of overt act has been levelled against him. It is further submitted that the petitioner no. 2 is having a clean antecedent.

Having regard to the facts and circumstances of the case and considering the submissions made by the learned counsel for the petitioners, I deem it fit and appropriate to admit the petitioner no. 2 to the privilege of anticipatory bail. Accordingly, petitioner no. 2, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail



bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., East Champaran at Motihari in connection with Sugauli PS case no. 263 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure. It is needless to state that the learned court below, while considering the case of the petitioner no. 1 for grant of regular bail, shall not be prejudiced by the present order.

(Mohit Kumar Shah, J)

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