

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68493 of 2019

Arising Out of PS. Case No.-589 Year-2019 Thana- ARARIA District- Araria

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1. Kamal Son of Masibul Resident of Village - Manikpur Laxmipur, P.S.- Bairgachhi, Distt.- Araria.
 2. Aashique @ Ashique Son of Anwar Resident of Village - Manikpur Laxmipur, P.S.- Bairgachhi, Distt.- Araria.
 3. Naushad @ Naushad Alam Son of Anwar Resident of Village - Manikpur Laxmipur, P.S.- Bairgachhi, Distt.- Araria.
 4. Kalim Son of Late Makai @ Makbul Resident of Village - Manikpur Laxmipur, P.S.- Bairgachhi, Distt.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

3 05-03-2020 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection with Araria (Bairgachhi) P.S. Case No. 589 of 2019 registered under Sections 147, 149, 341, 323, 353, 332, 224, 225, 504 and 115 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioners that though the petitioners are named, they have committed no offence whatsoever alleged. There is no specific allegation against them. The name of the petitioners have been



mentioned in the first information report showing them to be a relative of one Md. Meraj, who was arrested by the police in another case. However, the petitioners do not bear any relation with the above named Md. Meraj. He has further contended that the first information report goes to show that around 35-40 persons obstructed the police vehicle in order to get Md. Meraj released from the clutches of police and it was Md. Meraj, who has instigated the crowd also. However, the name of the petitioners have been given in the first information report only on the basis of suspicion that they are relatives of Md. Meraj. It is further contended that there is no physical injury to any public servant and no damage to any property was caused by the petitioners.

Learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioners.

Considering the submissions made above as also the declaration made in paragraph 3 of the application that the petitioners have no criminal antecedent, in the event of arrest or surrender before the court below, they are directed to be released on bail, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with



Araria (Bairgachhi) P.S. Case No. 589 of 2019, subject to the
condition as laid down under Section 438 (2) of the Cr.P.C.

(Ashwani Kumar Singh, J)

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