

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79963 of 2019

Arising Out of PS. Case No.-38 Year-2016 Thana- KATEYA District- Gopalganj

1. ALI HASAN MIYAN Son of Olayat Miyan Resident of Village - Batal Chauraha, P.S.- Kateya, District- Gopalganj
2. Afroj Ansari Son of Ibrahim Ansari Resident of Village - Batal Chauraha, P.S.- Kateya, District- Gopalganj

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 17-01-2020 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Kateya P.S. Case No. 38 of 2016 for the offence registered under Sections 147, 148, 149, 341, 323, 337, 338, 307, 297, 504, 506 and 120B of the Indian Penal Code.

The allegation is regarding the informant along with villagers being engaged in taking the dead body of his son in the graveyard of Batal Chauraha to engrave the dead body, and in the meantime, a crowd of 300 male/female persons variously armed came there and restrained them from burying the dead body and when the Police had intervened, the accused persons are stated to have assaulted the S.H.O., causing injuries on his



person. Altogether 45 persons are stated to be named in the FIR and there was a mob of about 300 people who had gathered at the place of occurrence.

The learned counsel for the petitioners has submitted that the petitioners have been falsely implicated in the present case, and similarly situated co-accused persons have already been granted bail vide orders dated 10.05.2016 and 26.07.2016 passed in Criminal Misc. No. 18041 of 2016 and Criminal Misc. No. 28608 of 2016.

Having regard to the facts and circumstances of the case and considering the submissions of the learned counsel for the petitioners, I deem it fit and proper to direct the petitioners to deposit a sum of Rs. 5,000/- each before the Nazarat of the Civil Court, Gopalganj, whereupon the petitioners herein shall be admitted to the privilege of anticipatory bail.

Accordingly, the petitioners, above named, are directed to be released on anticipatory bail in the event of their arrest/surrender before the court below within a period of four weeks from today, upon producing the receipt of deposit of Rs. 5,000/- each and on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-XV,



Gopalganj in connection with Kateya P.S. Case No. 38 of 2016
subject to the conditions as stipulated under Section 438(2) of
the Code of Criminal Procedure.

With the aforesaid observations and directions, the
present petition stands disposed off.

(Mohit Kumar Shah, J)

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