

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79450 of 2019

Arising Out of PS. Case No.-31 Year-2016 Thana- ALINAGAR District- Darbhanga

1. MD. MAHMUD ALAM Son of Akil Ahmad Resident of Village - Haritha, Police Station- Ali Nagar, District - Darbhanga.
2. Hasmuddin Ansari Son of Samsuddin Ansari Resident of Village - Haritha, Police Station- Ali Nagar, District - Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... Opposite Party

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Jha, Advocate

For the Opposite Party/s : Mr.Ashraf Ansari, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 27-02-2020 Heard learned counsel for the petitioners as well as learned counsel for the State.

Petitioners apprehend arrest in a case registered for the offences punishable under Section 353/34 and other allied sections of the Indian Penal Code.

Informant, the BDO, alleges that the petitioners entered into his official chambers, pressurized him to lodge FIR against the candidate of 2016 Panchayat election and obstructing the informant in discharge of official duty.

Learned counsel for the petitioners submits that the petitioners have falsely been implicated in this case. The allegation is general and omnibus in nature. Nothing incriminating has come against the petitioners during investigation. Petitioners have got no criminal antecedent.



Considering the facts of the case, let the petitioners, above named, in the event of arrest/surrender before the Court below within a period of six weeks from the date of receipt of the order, 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 the Sub Divisional Judicial Magistrate, Benipur, Darbhanga in Alinagar Police Station Case No. 31 of 2016, Tr no. 845/2019/GR No.142/2016 on the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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