

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79746 of 2019

Arising Out of PS. Case No.-306 Year-2013 Thana- CHOUTARWA District- West
Champaran

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1. ARSHAD ALI, Son of Ekramul Haque, Resident of Village- Jhamahui, P.S.-
Chautarwa, District- West Champaran.
 2. Ashad Ali @ Laddan, Son of Ekramul Haque, Resident of Village-
Jhamahui, P.S.- Chautarwa, District- West Champaran.
 3. Bachcha Mian, Son of Basaruddin, Resident of Village- Jhamahui, P.S.-
Chautarwa, District- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Syed Mojibur Rahman, Adv.
For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ADITYA KUMAR TRIVEDI
ORAL ORDER

4 18-06-2020 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor.

After some argument learned counsel for the
petitioners seeks withdrawal of petition relating to petitioner
no.1, Arshad Ali. So, the instant petition is dismissed as
withdrawn relating to petitioner no.1, Arshad Ali.

So far the remaining petitioners, namely, Ashad Ali @
Laddan and Bachcha Mian are concerned, they along with
petitioner no.1 as well as one another Atiullah have been
summoned to face trial invoking extraordinary power so vested
under Section 319 of the Code of Criminal Procedure by the



learned lower court though, their presence stood during course of initial version but not sent up for trial after concluding investigation.

Learned counsel for the petitioners further submits that one of the co-accused has already been granted anticipatory bail under Criminal Miscellaneous No.80059 of 2019.

Consequent thereupon, petitioner nos.2 and 3, namely, Ashad Ali @ Laddan and Bachcha Mian respectively in the event of their arrest or surrender within four weeks from today, are directed to be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge, Bagha (West Champaran) in connection with Chautarwa P.S. Case No.306 of 2013 (Sessions Trial No.579 of 2014) in terms of conditions so laid down under Section 438(2) of the Code of Criminal Procedure.

(Aditya Kumar Trivedi, J)

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