

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83449 of 2019

Arising Out of PS. Case No.-119 Year-2019 Thana- KURSAKANTA District- Araria

1. RAJA MALAKAR @ RAJ MALAKAR @ RAJ KUMAR MALAKAR Son of Sisamdeo Malakar Resident of Village - Kaparfora, P.S.- Kursakanta, District- Araria
2. Parsuram Singh Son of Sukhdeo Singh Resident of Village - Mehandipur, P.S.- Kursakanta, District- Araria
3. Pankaj Singh @ Pankaj Kumar Singh Son of Pannalal Singh Resident of Village - Kaparfora, P.S.- Kursakanta, District- Araria
4. Krishnadeo Mala @ Krishnadeo Malakar Son of Late Bajo Malakar Resident of Village - Laxmipur, P.S.- Kursakanta, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar

For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 29-06-2020

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Kursakanta P.S. Case No. 119 of 2019, disclosing the offence under Sections 147, 148, 149, 323, 427, 379, 295, 504, 506 of the Indian Penal Code.

There are eight persons named in the FIR including these petitioners. Allegedly, the named FIR accused persons and 500 more vandalised the various shops of the informant and other persons and took away cash and valuables.

Learned counsel appearing on behalf of the petitioners has submitted that there is no allegation of specific



overt act against these petitioners so as to constitute offence as alleged in the FIR, so far these petitioners are concerned.

On perusal of the FIR and the case diary, I find substance in submission made on behalf of the petitioners that there is no specific allegation against them.

Considering the facts and circumstances, this application is allowed. Let the petitioners, above-named, in the event of their arrest/surrender within six weeks from today in the court below, 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 ACJM-V, Araria in Kursakanta P.S. Case No. 119 of 2019, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/ Court, as the case may be, as and when required and in the event of failure on their part to appear before the court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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