

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2357 of 2020

Arising Out of PS. Case No.-130 Year-2019 Thana- KISHANGANJ District- Kishanganj

1. Md. Raja @ Muntazir Alam, Son of Late Md. Jahangir @ Late Jahangir Alam, Resident of Village - Baluchuka, P.S.- Gowalpokhar, District - Uttar Dinajpur (West Bengal).
2. Md. Kadir Alam @ Md. Quadir @ Quadir Alam, Son of Late Md. Jahangir @ Jahangir Alam, Resident of Village - Baluchuka, P.S.- Gowalpokhar, District - Uttar Dinajpur (West Bengal).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Radha Mohan Singh, Advocate
For the Opposite Party/s : Mr. Humayou Ahmad Khan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-02-2020 Heard learned counsel for the parties.

The petitioners apprehend their arrest in Kishanganj P.S. Case No. 130 of 2019 registered for the offence(s) punishable under Sections 147, 148, 149, 224, 225, 341, 342, 333, 353, 427, 384, 387, 364, 379, 307, 504, 506 and 120(B) of the Indian Penal Code.

The prosecution case is that petitioners along with other co-accused persons prevented the police force from discharging their duty and also alleged to have assaulted the police team.

It is submitted on behalf of the petitioners that the petitioners are innocent and have falsely been implicated in this case, in fact, the allegation levelled against the petitioners are



general and omnibus in nature. Similarly situated co-accused has already been granted bail by this Hon'ble Court vide order dated 14.01.2020 passed in Criminal Misc. No. 1834 of 2019.

Considering the aforesaid facts and circumstances as well as the nature of accusation, in the event of arrest or surrender within a period of six weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kishanganj in connection with Kishanganj P.S. Case No. 130 of 2019 on the following conditions:

“(1) Petitioners shall cooperate 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-bonds 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)

Ankit/-

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