

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29625 of 2020

Arising Out of PS. Case No.-564 Year-2019 Thana- CIVIL LINE District- Gaya

1. SATISH KUMAR @ SATISH DAS, S/o Rajendra Kumar Das, Resident of Village-Cherki, P.S.-Cherki, District-Gaya.
2. Omair Khan @ Tikka Khan, S/o Kahyar Hussain Khan, Resident of Mohalla-Aliganj, P.S.-Civil Line and District-Gaya.
3. Wasim Naiyar S/o Nasimuddin Resident of Mohalla-New Karimganj, P.S.-Civil Line and District-Gaya.
4. Shamshir Khan S/o Alamgir Khan, Resident of Mohalla-Aliganj, P.S.-Civil Line and District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mrs.Renu Kumari

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-01-2021 Heard learned counsel for the petitioners and learned
APP for the State.

Since the physical court proceeding is non-functional,
due to present pandemic, COVID-19, the matter is listed with
defects.

Learned counsel for the petitioners undertakes to
remove the defects as pointed out by the office within three
weeks of normal functioning of the court, failing which the
office is directed to place the matter before the Bench.

The petitioners are apprehending their arrest in a case
registered for the offence punishable under Sections 147, 148,
149, 323, 341, 504, 506, 427, 188, 332, 353, 333, 290, 337, 435



and 436 of the Indian Penal Code and Section 3/4 of the Prevention of Damage of Public Property Act-1984.

In the present case, on account of some dispute in Jamia University, the people of the locality assembled, started broken the glasses of shops and vehicles. The similarly situated co-accused has been granted anticipatory bail by a Co-ordinate Bench of this Court vide order dated 10.12.2020 passed in Cr. Misc. No.12391/2020.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. There is no specific allegation against the petitioners and there is general and omnibus allegation against the petitioners.

Learned APP for the State opposes the prayer for bail petition.

Looking to the entirety of the matter, this court is inclined to grant anticipatory bail to the above named petitioners, subject to the condition that they will deposit Rs.10,000/- each as a cost in the Patna High Court Legal Services Committee within two weeks and on deposit of the said amount, they in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail



bonds of Rs. 25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Civil Line P. S. Case No. 564 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

Further condition is that one of the bailors of the petitioners shall be their close relative. The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court. If the petitioners are found involved in future, in similar type of offences, the prosecution will be at liberty to file an application before the court below and the court below will pass necessary order, including cancellation of bail of the petitioner. It is made clear that if the petitioners would not deposit the said money by the aforesaid period, the bail granted to the petitioners will be treated to have withdrawn.

(Anjani Kumar Sharan, J)

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