

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45028 of 2021

Arising Out of PS. Case No.-83 Year-2021 Thana- BHARGAMA District- Araria

1. MD. MUSHTAK SHAH @ MD. MUSTAK Son of Md. Samad Sah @ Md. Samsad Resident of Village - Puraini, Ward no. 12, Kumarkhand, P.S.- Srinagar, District - Madhepura
2. Md. Sakib Son of Nauman @ Md. Noman Resident of Village - Puraini, Ward no. 12, Kumarkhand, P.S.- Srinagar, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Prasad Singh, Advocate
For the Opposite Party/s : Mrs.Suman Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-12-2021 Heard learned counsel for the petitioners and learned APP
for the State.

Counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

The petitioners are apprehending their arrest in connection with Bhargama P.S. case No.83/2021 registered under Sections 147, 148, 149, 341, 323, 332, 336, 353, 427, 201, 120(B) of the Indian Penal Code.

Allegation is that the accused persons including the petitioners made protest in the Hospital and pelted bricks and stones.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners



have been made accused due to mistake of fact. One of the injured persons is said to have died in the Hospital in course of treatment. Some of the local residents started protesting against the same. General and omnibus allegation has been made. No specific overt act is alleged against the petitioners.

On behalf of the State, it is submitted that the petitioners are named in the complaint case/F.I.R.

Considering the facts and circumstances of the case, the petitioners, above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of Sri R. Ranjan, J.M., Araria in connection with Bhargama P.S. case No.83/2021, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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