

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4735 of 2021

Arising Out of PS. Case No.-326 Year-2020 Thana- JOGAPATTI District- West Champaran

1. BHUTA ANSARI SON OF LATE KAMRUDDIN ANSARI Resident of Village - Pipra Kachhari Tola, P.S.- Yogapatti, Distt.- West Champaran.
2. KHUSH MOHAMMAD Son of Mohtab Miyan Resident of Village - Pipra Kachhari Tola, P.S.- Yogapatti, Distt.- West Champaran.
3. DINESH KUMAR PRASAD @ DINESH PRASAD SON OF MAHENDRA PRASAD Resident of Village - Pipra Kachhari Tola, P.S.- Yogapatti, Distt.- West Champaran.
4. SANTOSH PRASAD SON OF RAMAGYA PRASAD Resident of Village - Pipra Kachhari Tola, P.S.- Yogapatti, Distt.- West Champaran.
5. MADAN SHARMA SON OF RAJDEO SHARMA Resident of Village - Pipra Kachhari Tola, P.S.- Yogapatti, Distt.- West Champaran.
6. DINESH MAHATO SON OF JAGDISH MAHATO Resident of Village - Pipra Kachhari Tola, P.S.- Yogapatti, Distt.- West Champaran.
7. UPENDRA PRASAD SON OF BAIDYANATH SAH Resident of Village - Pipra Kachhari Tola, P.S.- Yogapatti, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Nath Jha
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-11-2021 Heard learned counsel for the petitioners and learned APP
for the State.

Learned counsel for the petitioners is expected to honour his undertaking to remove the defects as pointed out by the office when called upon to do so by the office.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Yogapatti P.S. Case no. 326 of 2020 instituted for the offence under Sections 188, 147, 148, 149, 295-A of the Indian Penal Code and Section 3 of the Epidemic Act.



In a nutshell, the prosecution story relates to communal violence between hindu and muslim of the same village.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and has been falsely implicated in this case. General and omnibus allegations are levelled against the petitioners.

Learned APP for the State has opposed the prayer of bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Yagapatti P.S. Case no. 326 of 2020, they will 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, Bettiah, West Champaran subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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