

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2662 of 2022

Arising Out of PS. Case No.-31 Year-2020 Thana- MANIGACHI District- Darbhanga

1. Nurul Hoda Son Of Late Lateef Resident Of Village - Dahaura, P.S.- Manigachhi, Distt.- Darbhanga.
2. Md. Kamrul Hoda @ Raja Son Of Late Md., Lateef Resident Of Village - Dahaura, P.S.- Manigachhi, Distt.- Darbhanga.
3. Md. Mukhtar Son Of Late Md. Lateef Resident Of Village - Dahaura, P.S.- Manigachhi, Distt.- Darbhanga.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baidya Nath Thakur
For the Opposite Party/s : Mr. Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

6 08-08-2022 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 448, 341, 323, 307, 427, 353 and 188 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioner no.1 is a person with clean antecedent and petitioner nos.2 and 3 have antecedent of one case. It is next submitted that petitioner nos.1 and 2 are government servant and petitioner no.3 is an agriculturist. The learned counsel at the



outset, submits that he realized his difficulty in making submissions on merit for the reason that petitioners instead of moving this Court after first disposal of the case by the learned Court below wherein they were asked to surrender ought to have moved before this Court,, but it appears that under wrong advise, petitioners again moved before the learned District Court itself and again the same order came to be passed recording that the anticipatory bail is disposed of with a direction to the petitioners to surrender and seek regular bail.

The learned counsel next submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that informant alleges that miscreants quarreled amongst themselves in two groups and committed mischief and damaged shops and auto rickshaws and during occurrence, some local persons and four police personnel were also injured. The learned counsel further submits that the police after investigation did not find the case to be true under Section 307 of the I.P.C. The learned counsel next submits that no specific overt act has been alleged against the petitioners and the allegations are general and omnibus in nature.

The learned Additional Public Prosecutor opposes the anticipatory bail application.



Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Manigachhi P. S. Case No.31 of 2020, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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