

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43683 of 2024

Arising Out of PS. Case No.-1 Year-2024 Thana- SINGHESHWAR District- Madhepura

1. Md. Sarbar @ Md. Sarvar S/O Md. Nikail @ Md. Mikail @ Mikail R/O Village-Sukhasan, Ward No.12, P.S.-Singheshwar, Distt-Madhepura
2. Md. Tajuddin S/O Md. Taha R/O Village-Sukhasan, Ward No.12, P.S.-Singheshwar, Distt-Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr Sanjay Kumar Singh, Adv.
For the Opposite Party/s : Mr.Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 28-06-2024 Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection with Singheshwar P.S. Case No. 01 of 2024 registered for the offences punishable under Sections 147, 149, 341, 323, 307, 332, 333, 337, 338, 353, 431, 504, 506, 511, 109 of the Indian Penal Code.

3. The prosecution case, in short, is that owing to an accident, the mob was protesting and blocked the road. When the police tried to pacify the matter, the accused persons started abusing and assaulting the Informant and the police party due to which they sustained injuries.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged against them and have falsely been implicated in the present case. He further submits that there are 14 named and 50 unknown persons have been made accused in this case. Although, the petitioners are named in the F.I.R. but, there is no direct or specific allegation of any overt act against them. There is no injury report in the entire record which creates suspicion on the prosecution case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners have no criminal antecedent as has been stated in paragraph no.3 of the present anticipatory bail application.

5. Learned counsel for the petitioners further submits that the co-accused Md. Khalid @ Khalik @ Khalik Afroz and Md. Tasim @ Md. Tasim Raja have been granted anticipatory regular bail by this Court vide order dated 17.05.2024 passed in Cr. Misc. No. 37568 of 2024.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. Considering the entire facts and circumstances of the case and taking into account the submissions made by the



learned counsel for the petitioners and the petitioners having no specific allegation, let 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, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Singheshwar P.S. Case No. 01 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

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