

Court of Sessions Judge,
Sitamarhi.

A.B.P. No. 2397/22.

27.8.2022. This anticipatory bail petition has been filed on behalf of the FIR named accused namely, 1. Md. Arman, 2. Minhaj @ Menha Jullah, 3. Md. Nishar @ Sheikh Nisar, 4. Md. Arshad @ Md. Arshad Ali and 5. Niyamtulla @ Md. Nemtullah who are apprehending their arrest in connection with Parihar PS Case No. 175/22 registered u/ss: 147,148,153,323,268,353,504/34 IPC.

Heard the learned counsel for the petitioners/accused and the learned PP for the State through physical mode of court proceeding.

The FIR has been registered against the petitioners/accused and other co-accused persons on the basis of written application dated 7.7.2022 of the informant namely, Pankaj Kumar SHO of Parihar PS alleging therein, in brief, is that on 7.7.2022 at about 10.30 AM informant after getting information about death of a person in road accident, the informant with other police officials reached there, he saw furious crowd trying to catch hold of the driver of the bus to inflict assault to him. Thereafter co-accused Manish Kumar came and tried to save him but he was also assaulted by the crowd. Thereafter, co-accused Manish Kumar with his supproters came back and free fight started in between two groups. When police tried to interfere and restrain them, they were also mishandled.

The learned defence counsel submitted that no occurrence had taken place as alleged in the FIR. They have falsely been implicated in the instant case. Other co-accused pesons with similar allegation have been granted anticipatory bail vide ABP 2169/22.

The learned PP opposed the prayer for anticipatory bail.

Having regard to the facts & circumstances of the case, discussed above, other co-accused persons having similar allegation have been granted anticipatory bail, under the facts & circumstances, each of the petitioner is

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directed to be released on bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court below in the event of their arrest or surrender within a period of four weeks from today, subject to the conditions as laid down u/s: 438(2) CrPC.

(Dictated)
S/d
Sessions Judge,
Sitamarhi.