

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.52243 of 2015**

Arising Out of PS.Case No. -119 Year- 2015 Thana -RAJGIR District- NALANDA  
(BIHARSHARIFF)

- =====
1. Md. Imam @ Md. Inam son of late Md. Neman, resident of village Nonhi, P.S. Rajgir District Nalanda
  2. Chandra Prakash son of Late Chandrahas
  3. Deo Nandan Choudhary son of Late Mahabir Choudhary  
Both resident of village Panditpur, P.S. Rajgir, District Nalanda
  4. Gopal Bhadani son of Binod Ram Bhadani,
  5. Ranjan Singh son of ate Nand Kumar Singh  
Both are residents of village Rajgir, P.S. Rajgir, District Nalanda
  6. Amit Kumar Paswan son of Ram Briksha Paswan, resident of village Gulla Bigha, P.S. Nalanda, district Nalanda.

.... .... Petitioners

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar, Advocate  
For the Opposite Party/s : Mr. Anil Kumar, A.P.P.

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2      06-11-2015                      Heard learned counsel for the petitioners and learned  
  
A.P.P. for the State.

It has been submitted by Counsel for the petitioners that the petitioner no. 6 has since been arrested, as such no cause subsists against the petitioner no. 6 now. Accordingly, the application of petitioner no. 6 is dismissed, as infructuous.

The petitioners apprehend their arrest in connection with Rajgir P.S. Case No. 119 of 2015 registered for the offences punishable under Sections 147, 148, 149, 332, 353, 307, 427, 435, and 333 of the Indian Penal Code and Section 27 of the Arms Act

and Section 34 of the Prevention of Damage to Public Property Act, 1984.

The prosecution case is on the basis of a First Information Report lodged on 4<sup>th</sup> of June, 2015 by the Officer Incharge of Rajgir Police Station stating therein that at 5.15 P.M., due to apprehension of some disturbance police personnels were deputed. There was mob of 400 to 500 people, who came there, abused the police party and fired gun-shot causing injury to the police personnel.

It has been submitted by the Counsel for the petitioners that the allegations are general and omnibus in nature and there was a mob attack. The alleged offence is not attributed to any single accused. Hence, the petitioners are innocent and cannot be alleged to have committed the said offence. Other accused persons, having similar/identical allegation, have since been released on anticipatory bail by a co-ordinate Bench of this Court in Criminal Miscellaneous No.41575 of 2015 dated 08.10.2015 and Criminal Miscellaneous No. 43919 of 2015 dated 13.10.2015. It has been submitted that the petitioners have no other criminal antecedent, except in similar incident against which two First Information Reports have been lodged by the Police bearing Rajgir P.S. Case No. 118 of 2015 and Rajgir P.S. No. 117

of 2015 allegedly for the same offence.

Be that as it may, let the petitioners, above named, in the event of their arrest or surrender within a period of six weeks from today before the Court below be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Rajgir P.S. Case No. 119 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Nilu Agrawal, J)**

Vats/-

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