

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43244 of 2015

Arising Out of PS.Case No. -155 Year- 2013 Thana -MASRAKH District- SARAN

- =====
1. Mohan Sah, Son of Late Jainath Sah, Resident of Village- Laguni, P.S. Panapur, District- Saran, Chapra, presently Teacher, Upgraded Middle School, Deoria
 2. Santosh Yadav, @ Santosh Kumar Yadav Son of Lalan Yadav, Resident of village- South Tola, Mashrakh, P.S. Mashrakh, District- Saran, Chapra

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.48999 of 2015

Arising Out of PS.Case No. -155 Year- 2013 Thana -MASRAKH District- SARAN

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Niranjan Kumar Singh s/o Prabhu Singh resident of Village- Charihara P.S Masrakh District Saran at Chapra.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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with

Criminal Miscellaneous No.50874 of 2015

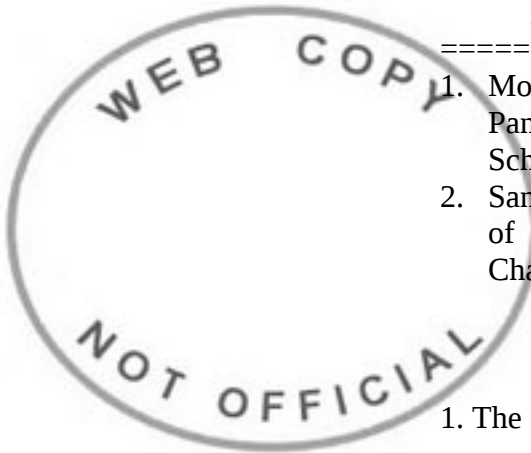
Arising Out of PS.Case No. -155 Year- 2013 Thana -MASRAKH District- SARAN

- =====
1. Ajeet Singh , son of Narayan Singh, resident of village-Arna
 2. Navlesh Singh, son of Ram Pravesh Singh, resident of village- Charihara
 3. Manan Kumar Ojha, son of Mohan Ojha, resident of village- Barahiya Tola Masrakh
 4. Ajay Kumar Singh, son of Jai Prakash Singh, resident of village- Ghoghiya
 5. Chhathu Ram, son of Late Jeeta Ram, resident of village- Masrakh Takht
 6. Manoj @ Manjoj Kumar Singh, son of Surendra Singh
 7. Bitan Singh, son of Yadu, resident of village Yadu More
- All of P.s. Masrakh District- Saran

.... Petitioner/s

Versus

The State of Bihar



.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE RAMESH KUMAR
DATTA
ORAL ORDER

2 04-11-2015

Heard learned counsels for the petitioners and learned Additional Public Prosecutor for the State in all the three anticipatory bail applications.

The petitioners pray for anticipatory bail in a case under Sections 147,148,149,353,427,435,307,379,332,333, 338 and 504 of the Indian Penal Code and 3/4 of Damage of Property Act.

In the FIR which was filed by the police, the allegation against the petitioners is that 32 named persons along with 200-250 unknown persons had formed a mob and attacked the police force which had gone to maintain law and order and damaged the police vehicle. The reason for the unlawful assembly is that earlier in a primary school due to contamination of the midday meal two children had died and several others were serious and admitted to the hospital.

It is submitted by learned counsel for the petitioners that the petitioners have been falsely implicated in the case and they had not taken any active part in causing damage to the police vehicle rather they might have been present there

protesting the death and illness of the children. It is also submitted that as many as four of the named co-accused persons, similarly situated as the petitioners, have been granted anticipatory bail by this Court by order dated 13.10.2015 passed in Cr. Misc. No. 42080 of 2015 and the order dated 14.10.2015 passed in Cr. Misc. No. 43434 of 2015.

On a consideration of the facts and circumstances of the case, it is directed that the petitioners (1) Mohan Sah, (2) Santosh Yadav @ Santosh Kumar Yadav, (3) Niranjana Kumar Singh, (4) Ajeet Singh (5) Navlesh Singh, (6) Manan Kumar Ojha, (7) Ajay Kumar Singh, (8) Chhathu Ram, (9) Manoj @ Majoj Kumar Singh and (10) Bitan Singh, in the event of their arrest/surrender in the court below within four weeks from today, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each in connection with Masrakh P.S. Case No. 155/2013 to the satisfaction of Shri D.K.Diwari, Judicial Magistrate, 1st Class, Chapra, subject to the other conditions as laid down under Section 438(2) Cr.P.C.

(Ramesh Kumar Datta, J)

S.Pandey/-

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