

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43481 of 2015

Arising Out of PS.Case No. -59 Year- 2013 Thana -AURANGABAD TOWN District-
AURANGABAD

- =====
1. Raja Kumar, Son of Sunil Prasad Gupta, Resident of Village - New Kazi Mohalla , P.S.- Aurangabad, District – Aurangabad.
 2. Chandra Shekhar @ Chndra Shekhar Choudhary, Son of Late Krishna Chaudhary.
 3. Vikki Kumar @ Viky Kumar, Son of Kanhaiya Prasad Chandrabanshi.
 4. Vikas Kumar, Son of Kanhai Prasad Chandrabanshi.
 5. Kanhaiya Kumar @ Kanhaiya Kr. Gupta, Son of Umesh Prasad Gupta @ Umesh Gupta.
 6. Ravi Kumar, Son of Rajendra Prasad Soni.
All Resident of Village - Mahua Sahid, P.S.- Aurangabad (Town),
District – Aurnagabad.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 14-10-2015 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Aurangabad Town P.S. Case No.59 of 2013 registered under
Sections 147, 148, 149, 307, 353, 379, 224, 511, 341, 323, 504,
337, 427, 435, 332, 342 and 290 of the Indian Penal Code.

The allegation of the informant, Prem Chandra Kumar,
who is Police Official, is that on receiving the information of the



confinement of the driver of the vehicle due to an accident, he alongwith other police officials reached at the place of occurrence and found that the vehicle was being burnt by the mob. They tried to disburse the mob and anyhow got the driver of the vehicle set freed but at that time the mob engaged in burning the vehicle started to pelting stone at the police party in which some police persons sustained injury and the mob also damaged the jeep of the police. At that time, the mob were talking taking the name of each other.

Learned counsel appearing on behalf of the petitioners submits that it would appear from the F.I.R. that no specific overt act has been attributed to the petitioners rather the petitioners have been made accused in the F.I.R. on the basis of the name taking by the mob. It is further submitted that the co-accused, Om Prakash Kumar and Mantu Kumar alias Mantu Sao, who are also named in the F.I.R., have already been granted anticipatory bail by a Bench of this Court vide order dated 27.04.2015 passed in Criminal Misc. No.50443 of 2014.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten

Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad, in connection with Aurangabad (Town) P.S. Case No.59 of 2013, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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