

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55181 of 2015

Arising Out of PS.Case No. -197 Year- 2015 Thana -

DURGAWATI District- BHABHUA (KAIMUR)

1. Pinku Singh son of Premchand Singh R/o Village Bheria
2. Kamlesh Singh son of Babban Singh R/o Village Dhanechha, both P.S. Durgawati, District Kaimur at Bhabhua.
3. Shiv Pujan Yadav son of Sharda Yadav R/o Village Khedai Narayanpur- Naubatpur, P.S.- Syadraja, District- Chandauli (U.P.)
4. Prem Shankar Tiwary, son of Dadan Tiwary, R/o Village Mohania, P.s. Mohania, District Kaimur at Bhabua.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Renuka Ratnakar (APP)

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 11-12-2015 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Durgawati P.S. Case No. 197 of 2015 G.R. No. 2183 of 2015 registered under Section 147, 148, 149, 341, 323, 307, 353, 333 of the Indian Penal Code and 27 of the Arms Act.

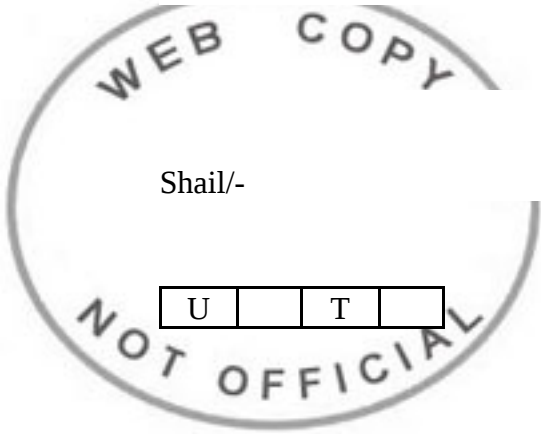
The prosecution case according to written report of Sub-Inspector, Durgawati Police Station is that he along with the police officials was on duty where the temporary camp of

Pariwahan, Mines and Commercial Camp was installed on NH-22, 36 persons named in the F.I.R. including the petitioners and 4-5 others reached there and started to brick batting and made firing to create disturbance with intention to remove the temporary camp and also damaged the furniture, etc.

Learned counsel appearing on behalf of the petitioners submits that it would appear from the F.I.R. itself that there is no specific overt act against the petitioner rather there is general and omnibus allegation of stone pelting and making fire by 36 persons and 4-5 hundreds unknown. In fact, the petitioner is the resident adjacent to the Camp and has falsely been implicated in this case. It is also submitted that similarly situated co-accused Kishore @ Raj Kishore Sah and Mahesh @ Mahesh Kumar Paswan have already been allowed anticipatory bail by a Bench of this Court vide Cr. Misc. No. 51457 of 2015 on 06.11.2015.

Having considered the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the C.J.M., Kaimur at Bhabua in connection with Durgawati P.S. Case No. 197 of 2015, subject to

the condition as laid down under Section 438(2) of the Cr. P.C.



Shail/-

(Rajendra Kumar Mishra, J)