

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1330 of 2015

Arising Out of PS.Case No. -175 Year- 2014 Thana -NARHAT District- NAWADA

- =====
1. Muneshwar Prasad Chauhan @ Muneshwar Chauhan @ Bhuneshwar Chauhan, Son of Late Raghunandan Chauhan.
 2. Lalu Chauhan, Son of Muneshwar Chauhan, Both are resident of Village – Sitamarhi, P.S. – Sitamarhi (Narhat), District – Nawada.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Mishra, Advocate.

For the Opposite Party/s : Mr. Madhuri Lata(App)

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 13-01-2015 Heard both sides.

The petitioners apprehend their arrest in Narhat (Sitamarhi) P.S. Case No. 175 of 2014, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 337, 333, 353, 427, 436, 448, 504, 506, 291, 114, 117, 186 and 120B of the Indian Penal Code and Sections 3/4 of the Prevention of Damage to Public Property Act, 1984.

The informant SHO of Sitamarhi police station alleged that on 04.10.2014 some dispute arose during Durga Puja Fair. Rajesh Chouhan and his men assaulted Mithun Chouhan, Muneshwar Chouhan and Sheonandan Chouhan. They were brought to hospital for treatment but Mithun Chouhan died during course of treatment. The informant alleged that thereafter family

members of Mithu Chouhan and other villagers entered into the police station premises and also set ablaze the vehicles parked in the police station.

Learned counsel for the petitioners submits that petitioner no. 1 was in the hospital when the occurrence took place and he is named in the FIR. No specific allegation is made against the petitioners. Many villagers assembled in protest against killing of Mithun Chouhan for which Narhat (Sitamarhi) P.S. Case No. 174 of 2014 was registered.

Considering the facts aforesaid, the petitioners, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Learned Sub-Divisional Judicial Magistrate, Nawada in connection with Narhat (Sitamarhi) P.S. Case No. 175 of 2014, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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