

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41173 of 2014

Arising Out of PS.Case No. -119 Year- 2014 Thana -BARUN District- AURANGABAD

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Ram Pravesh Singh, S/o Late Indradeo Singh, resident of Village -
Madhupur, P.S. Barun, District - Aurangabad

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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with

Criminal Miscellaneous No.7966 of 2015

Arising Out of PS.Case No. -119 Year- 2014 Thana -BARUN District- AURANGABAD

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Nitesh Singh, son of Suresh Singh, resident of Village- Madhupur, P.S.
Baroon, District- Aurangabad.(Bihar)

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

(In Cr.Misc. No.41173 of 2014)

For the Petitioner/s : Mr. Rakesh Singh, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

(In Cr.Misc. No.7966 of 2015)

For the Petitioner/s : Mr. Anil Kr Singh No. 6, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 11-03-2015 Since both the criminal miscellaneous applications

arise out of the same police station case, they have been heard

together and are being disposed of by this common order.

Heard learned counsel for the petitioners and the

learned counsel for the State.

The petitioners in Cr.Misc. No.41173 of 2014 and

Cr.Misc. No.7966 of 2015 are apprehending their arrest in connection with Barun P.S. Case No.119 of 2014 for allegedly having committed the offences under Sections 147, 148, 149, 186, 323, 353, 307, 435, 337, 333 and 504 of the Indian Penal Code.

The allegation against these petitioners, as detailed in the First Information Report, is that they have formed an unlawful assembly and when the police came they pelted bricks so as to cause injury to some persons.

Learned counsel for the petitioners, however, submits that in fact, the petitioners are co-villagers who had collected to see the occurrence in connection with a case which was also registered, bearing Aurangabad Sadar Barun P.S. Case No.120 of 2014 under Section 394 I.P.C. It is stated that one Sikandar Kumar had lodged an F.I.R. stating that his brother Bhupendra Kumar had been robbed and fired upon at Madhupur More and as a consequence thereof, the villagers had gathered together to protest, especially on account of inaction of the police. It is as a sequel to this occurrence, that the present F.I.R. was lodged against 23 named co-villagers as well as 50 others.

Considering the aforementioned submissions and also the fact that there is no specific allegation, rather it is a

case of being merely present at the place of occurrence and that the petitioners have no criminal antecedents, let both the above named petitioners, in the event of their arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, be released on 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 Chief Judicial Magistrate, Aurangabad, in connection with Barun P.S. Case No.119 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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