

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25597 of 2015

Arising Out of PS.Case No. -42 Year- 2002 Thana -RAJAUN District- BANKA

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1. Dinesh Prasad Singh Son of Late Krishna Pd. Singh
 2. Sheo Prasad Poddar @ Shiv Poddar Son of Late Sahdeo Poddar.
 3. Jaldhar Poddar Son of Late Jagarnath Poddar.
 4. Deo Narayan Singh Son of Jagdish Pd. Singh
 5. Upendra Poddar Son of Late Aklu Poddar.
 6. Rajendra Poddar Son of Mahadeo Poddar .
 7. Naresh Poddar , Son of Kartik Poddar.
 8. Binod Prasad Singh Son of Late Rameshwar Pd. Singh, All are residents of village- Katiyama, P.S. Rajoun , District - Banka .

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indeshwari Prasad Mandal

For the Opposite Party/s : Mr. Atul Chandra (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 01-07-2015 Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under sections 147,148,149,186,187,323,332,333,353,427 and 307 of the Indian Penal Code, section 27 of the Arms Act and sections 3 and 4 of Explosive Substances Act.

It is alleged that after arrest of accused in Rajoun P.S. Case No. 42 of 2002 registered under sections 386/34 IPC the mob protested and blocked Bhagalpur-Dumka Road and demanded release of the arrested accused when Sanha diary entry was made.

The police reached on spot then FIR named accused persons pelted bricks on the police, resorted to firing, used explosives and damaged the public property.

It is submitted by learned counsel for the petitioners that the FIR named accused were acquitted though the investigation was pending since 2002 against others.

Considering the fact that the case was registered in 2002, this court is not inclined to grant anticipatory bail to the petitioners. However, let the learned court below consider the prayer for regular bail of the petitioners keeping in view the fact that others have been acquitted in case the petitioners surrender within six weeks from today in connection with Rajoun P.S. Case No. 42 of 2002 pending in the court of learned C.J.M., Banka.

This application is disposed of with the aforesaid observation/direction.

(Dinesh Kumar Singh, J)

Anil/-

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