

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40002 of 2015

Arising Out of PS.Case No. -117 Year- 2015 Thana -RAJGIR District- NALANDA
(BIHARSHARIFF)

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1. Md. Imam @ Md. Inam Son of late Md. Neman resident of Village Nonhi, P.s Rajgir District Nalanda.
 2. Chandra Prakash son of late Chandrahas
 3. Deo Nandan Choudhary son of late Mahabir Choudhary
Both resident of village panditpur , P.s Rajgir, District Nalanda.
 4. Gopal Bhadani son of Binod Ram Bhadani.
 5. Ranjan Singh son of late Nand Kumar singh
Both resident of village Rajgir , P.s Rajgir, District Nalanda.
 6. Amit kumar Paswan son of Ram Briksha Paswan Resident of Village Gulla Bigha P.s Nalanda district Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Anuj Kr.Srivastav(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 07-10-2015

It is submitted by the learned counsel for the petitioners that petitioner no. 6 namely Amit Kumar Paswan has been arrested and his application has become infructuous.

Heard learned counsel for the petitioners and the State.

The petitioner nos. 1 to 5 are apprehending their arrest in a case registered for the offences punishable under Sections 147, 149, 332, 307, 114, 353, 188, 431, 341, 153A, 120B of the Indian Penal Code and 3/4 of the

Prevention of Damage to Public Property Act, 1982.

The prosecution case is that the organizers of Rajgir Malmas Mela, 2015 decided not to allow the theatre to play during the mela, when 300-400 people made protest, blocked the railway track and raised slogan against the administration. When the informant and others reached to the railway station, then it was found that road was also blocked and the mob started pelting stones, as a result the informant and others received injuries. From the mob 19 persons were identified including the petitioners.

It is submitted by the learned counsel for the petitioners that the accusation is against the mob and prior to the lodging of the present case, the petitioners were not accused in any other case. Though for the same incident four cases have been lodge being Rajgir P.S. Case No. 117 of 2015, 118 of 2015, 119 of 2015 and Biharsharif Rail P.S. Case no. 04 of 2015. The petitioners are accused in some of those cases and apart from those the petitioners are not accused in any other case.

Considering the accusation against the mob, let the above named petitioners be released on bail in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) each with two sureties of the like

amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Rajgir P.S. Case No. 117 of 2015, subject to conditions as laid down under Section 438(2) of the Indian Penal Code.

(Dinesh Kumar Singh, J)

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