

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41034 of 2015

Arising Out of PS.Case No. -66 Year- 2015 Thana -AMAS District- GAYA

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1. Salauddin @ Bhola @ Salauddin Khan @ Bhola Khan S/o Jaho Khan
 2. Arif Gunda @ Arif Khan S/o Naim Khan
 3. Fazo Khan S/o Razauddin Khan
 4. Bhulan Khan S/o Naim Khan
 5. Tarik Khan S/o Enamul Khan All Resident of Village Sihuli, P.S. Amas, District Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivendra Prasad

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

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 07-10-2015

Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147,149,341,323,506 and 353 of the Indian Penal Code and section 3 of Bihar Control of Crimes Act.

The prosecution case is that the mob put the dead body of a person who died in road accident and blocked the vehicular traffic and thereby obstructed the administration in discharge of duty.

It is submitted by the learned counsel for the petitioners that the accusation is omnibus and general against mob.

Considering the fact that petitioner no. 2 Arif Gunda alias Arif Khan is accused in two other cases, let the learned court below consider the prayer for regular bail of the petitioner no. 2 in case he surrenders within six weeks from today in connection with Amas P.S. Case No. 66 of 2015 pending in the court of learned SDJM, Sherghaty, Gaya.

So far as petitioner nos. 1,3,4 and 5 above named are concerned, considering the fact that they have no criminal antecedent though petitioner no. 3 being accused in a case of Wildlife Protection Act, as stated in paragraph 3 of the petition and the accusation being omnibus and general against the mob, let them be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve 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 learned SDJM, Sherghaty, Gaya in connection with the aforementioned case subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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