

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6787 of 2016

Arising Out of PS.Case No. -163 Year- 2012 Thana -ASHOK PAPER MILL District-
DARBHANGA

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1. Ram Udgar Yadav @ Ram Udar Yadav S/o late Dhanushdhari Yadav
2. Ram Dev Yadav S/o late Sone Lal Yadav
3. Laxmi Yadav S/o late Lakho Yadav
4. Kedar Yadav S/o late Moti Yadav
5. Kamlesh Yadav S/o Ram Bahadur Yadav
6. Jawahar Yadav S/o late Ramdhari Yadav
7. Rajendra Yadav S/o late Sattan Yadav
8. Dukhi Yadav S/o Ramdhari Yadav All Resident of Village- Balha; P.s
Ashok Paper Mill, District Darbhanga.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. S.N.Shukla(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-02-2016 Heard learned counsels for the petitioner and the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 307, 338, 353, 435, 436 and 427 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case is that the informant being the ASI of police along other officers and Magistrate were deputed for safety of Ashok Paper Mill. On 10.11.2012 four loaded trucks were coming out from the mill, in the meantime a mob of 400-500 persons variously armed started pelting bricks and opened fire



upon the police as a result three trucks returned back to the mill and one truck loaded with scrap was burnt. Due to pelting of bricks and firing several police personnel received injuries and thereafter in order to pacify the mob, the police resorted to fire, as a result one employee of Ashok Paper Mill namely Sushil Sah died.

It is submitted by learned Senior Counsel for the petitioners that the workers of the Ashok Paper Mills including the petitioners were protesting against transfer of entire assets of the mill in connivance with administration when police resorted to fire at the behest of the Director of the mill namely Dharam Godha as a result one employee of the mill Shushil Sah died leading to registration of Ashok Paper Mill P.S. Case No. 165 of 2012 but the police in order to save its own skin before registration of case lodged at the behest of family members of the deceased Sushil Sah got registered the present case. The accusation is against the mob. A statement has been made in para 3 of the petition that the petitioners have no criminal antecedent. The investigation is still pending.

Considering the accusation against the mob, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within

a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M., 1st Class, Darbhanga in connection with Ashok Paper Mill P.S. Case No. 163 of 2012, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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