

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8409 of 2016

Arising Out of PS.Case No. -150 Year- 2015 Thana -PHULWARIA District- GOPALGANJ

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1. Udai Pal son of Jitendra Pal,
 2. Dilip Gond son of Dwarika Gond,
 3. Rajnath Sah son of Ramashray Sah,
 4. Rambabu Pal son of Swaminath Pal,
 5. Jeewit Pal alias Jaut Pal, son of Swaminath Pal
 6. Sonu Pal, son of Rajnath Sah
 7. Manoj Pal son of Surendra Pal alias Dhurendra Pal,
 8. Gorak Gond alias Gorakh Gond son of Late Nagina Gond,
 9. Jayant Shrivastava alias Jamant Shrivastava, son of Sudhakar Shrivastava alias Sudhakar Shrivastava,
 10. Piyush Pandey son of Late Awadhesh Pandey
 11. Janardan Pal alias Janardhan Pal, son of Dhona Pal
 12. Gori Sah alias Gauri Sah, son of Ram Nathuni Sah
 13. Arun Lal Shrivastava son of Late Satyanarain Shrivastava
 14. Prakash Shrivastava son of Kranti Kumar Verma
 15. Prem Bhagat son of Sukhlal Bhagat
 16. Bali Ram Sharma son of Late Megha Sharma
 17. Sunil Kumar Son of Nand Kishore, All are residents of Village- Ladhpur (Shripur O.P.), Police Station- Fulwaria (Shripur O.P.), District- Gopalganj.
 18. Anil Sah son of Shambhu Sah
 19. Govind Sah son of Shambhu Sah
 20. Govind Kumar son of Late Om Prakash
 21. Pawan Kumar son of Udai Prasad,
 22. Satya Narain son of Pramod
 23. Raju son of Pramod
 24. Aakash son of Lal Babu
 25. Manoj Prasad son of Bijai Prasad
 26. Ranjeet Kumar son of Balkeshwar
 27. Dara Kumar son of Balkeshwar
 28. Hridya Chauhan alias Hiday Chauhan son of Kishun Chauhan
 29. Manoj Prasad, son of Baidhyanath Prasad alias Baij Nath Prasad
 30. Raj Kumar son of Hajari Prasad, All are resident of Village- Bathua Bazar, Police Station- Fulwaria, District- Gopalganj.
 31. Jondha Gond alias Joda Gond son of Satan Gond alias Sakal Gond, Resident of Village- Ladhpur (Shripur O.P.), Police Station- Fulwaria (Shripur O.P.), District- Gopalganj.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Binod Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 18-04-2016

Learned counsel for the petitioners at the very outset points out that petitioner no.10, namely, Piyush Pandey has been arrested during the pendency of this application and as such his application has become infructuous.

2. As prayed, the anticipatory bail petition as against petitioner no.10, namely, Piyush Pandey is permitted to be withdrawn and is dismissed as such.

3. Heard learned counsel for the petitioners and learned APP for the State.

4. The petitioners apprehend their arrest for the offences alleged under Sections 147, 148, 149, 341, 323, 324, 307, 337, 338, 427, 379, 504 of the Indian Penal Code registered in connection with Fulwaria P.S. Case No.150 of 2015.

5. It is submitted that the petitioners have been falsely implicated after violence erupted between the two groups belonging to different communities. Both sides have suffered injuries. In any event, peace and harmony have since been restored in the area.

6. Having regard to the entirety of the facts and circumstances of the case, as such, in the event of the arrest or surrender of petitioner nos.1 to 9 and 11 to 31 before the court

below within six weeks from the date of communication of this order, let the above named petitioner nos.1 to 9 and 11 to 31 be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of Sri Abhishekh Kunal, learned Judicial Magistrate, Ist Class, Gopalganj in connection with Fulwaria P.S. Case No.150 of 2015, subject to the conditions as laid down under Section 438(2) Cr.P.C. and also subject to the following further conditions :-

(i) The petitioners shall co-operate with the investigation and make themselves available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(ii) The petitioners will be well represented on each and every date and if they fail to do so on two consecutive dates, their bail bonds shall be liable to be cancelled by the Court concerned.

(Vikash Jain, J)

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