

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10551 of 2016

Arising Out of PS.Case No. -204 Year- 2015 Thana -CHAINPUR District- BHABHUA (KAIMUR)

- =====
1. Kartik Keshari, son of Kailash Keshari @ Kailash Prasad Keshari, Resident of village - Shantinagar, P.S. - Chainpur, District - Kaimur at Bhabua.
 2. Manoj Patel, son of Late Parmeshwar Singh, Resident of Village - Chainpur, P.S. - Chainpur, District - Kaimur at Bhabua.
 3. Pramukh Kumar Yadav @ Pramukh Singh Yadav, son of Fulchand Yadav Resident of village - Hata, P.S. - Chainpur, District - Kaimur at Bhabua.
 4. Jhabbu Yadav @ Jhanku Yadav, son of Deena Yadav, Resident of Village - Bauliya Talab Hata, P.S. - Chainpur, District - Kaimur at Bhabua.
 5. Bihari Prasad Jaiswal, son of Late Ganga Sah Jaiswal, Resident of Village - Hata, P.S. - Chainpur, District - Kaimur at Bhabua.
 6. Sanjay Yadav, son of Late Rambachan Yadav, Resident of Village - Bauliya Talab Hata, P.S. - Chainpur, District - Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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With

Criminal Miscellaneous No.13284 of 2016

Arising Out of PS.Case No. -204 Year- 2015 Thana -CHAINPUR District- BHABHUA (KAIMUR)

- =====
1. Dimpal Jaiswal, Son of Nand Jaiswal, Resident of Village- Hata, P.S.- Chainpuar, District- Kaimur at Bhabua.
 2. Krishn Kumar Soni, Son of Ramayan Soni Resident of Village- Hata, P.S.- Chainpur, District- Kaimur at Bhabua.
 3. Rakesh Kumar Soni, Son of Lallan Soni, Resident of Village- Hata, P.S.- Chainpur District- Kaimur at Bhabua.
 4. Vikas Soni, Son of Late Khiri Soni, resident of Village- Hata, P.S.- Chainpur, District- Kaimur at Bhabua.
 5. Suresh Kumar Soni, son of Late Satyanarayan Soni, Resident of Village- Hata, P.S.- Chainpur, District- Kaimur at Bhabua.
 6. Suraj Keshari, Son of Balu Keshari Resident of Village- Hata, P.S.- Chainpur, District- Kaimur at Bhabua.
 7. Prince Keshari @ Prince Kumar Keshari @ Prince Kumar, Son of Sanjay Sah resident of Village- Hata, P.S.- Chainpur, District- Kaimur at Bhabua.
 8. Ramesh Kumar Jaiswal, Son of Jamuna Prasad, Resident of Village- Hata, P.S.- Chainpur, District- Kaimur at Bhabua.
 9. Rajendra Singh, Son of Chhedi Singh, Resident of Village- Hata, P.S.- Chainpur, District- Kaimur at Bhabua.
 10. Punit Keshari, Son of Kamala Sah, Resident of Village- Hata, P.S.- Chainpur, District- Kaimur at Bhabua.

11. Guddu Gupta, son of Prabhu Sah, Resident of Village- Shanti Nagar, Hata P.S. Chainpur, District- Kaimur at Bhabua.
12. Niraj Yadav, Son of Mahendra Yadav, Resident of Village- Hata, P.S.- Chainpur, District- Kaimur at Bhabua.
13. Lalu Modanwal, Son of Surendra Modanwal, Resident of Village- Hata, P.S.- Chainpur, District- Kaimur at Bhabua.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.10551 of 2016)

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate

For the Opposite Party/s : Mr. Anish Chandra(APP)

(In Cr.Misc. No.13284 of 2016)

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate

For the Opposite Party/s : Mr. Pronati Singh(APP)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 20-05-2016 Heard learned counsel for the petitioners and
learned APP for the State.

Petitioners apprehend arrest in connection
with Chainpur P.S. Case No. 204/15 for offences alleged under
Sections 147, 149, 353, 332, 333, 336, 337, 427, 436, 504 of
the Indian Penal Code.

The prosecution case, as lodged by the
informant, is that there was a procession and when police
reached there to control the mob they abused and assaulted the
police personnel with brickbat causing grievous injuries to
some constables. The mob also ransacked and damaged many
vehicles parked in Hata Market.



It has been submitted by the learned counsel for the petitioners that they are innocent having committed no offence and it was a mob attack of more than 500 persons in which the police have named 24 persons including the petitioners. He submits that the petitioners have no criminal antecedent and earlier also the police had lodged Chainpur P.S. Case No. 203/15 on the same day where there was also a mob attack and some of the accused have been granted the privilege of anticipatory bail. It has further been submitted that there is no specific allegation and being a mob attack the allegations are general and omnibus and cannot be attributable to the petitioners.

However, learned APP for the State submits that although it was a mob attack but the petitioners are named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since the allegations are general and omnibus, let petitioners, above named, in the event of their arrest or surrender before the court below within a period of eight weeks from today, be released on bail 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, Kaimur at Bhabua, in connection with Chainpur P.S. Case No. 204/15, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Rajesh/-

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(Nilu Agrawal, J.)