

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17661 of 2016

Arising Out of PS.Case No. -100 Year- 2016 Thana -HILSA District- NALANDA
(BIHARSHARIFF)

- =====
1. Ranjeet Kumar, S/o Rajendra Prasad @ Mahil Sao,
 2. Vinay Kuamr, S/o Rajendra Prasad @ Mahil Sai,
- Both residents of Mohalla- Saida Bazar,
Hilsa, Police Station- Hilsa, District-Nalanda.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr.

For the Opposite Party : Mr. Arun Kr. Pandey (APP)

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 03-05-2016 Heard learned counsel for the petitioners and learned
APP for the State.

Petitioners apprehend their arrest in connection with
Hilsa P.S. Case No. 100 of 2016 for the offences punishable under
Sections 147, 148, 149, 323, 337, 353, 307, 504, 332 of the Indian
Penal Code.

The prosecution case in short is that the petitioners
and others who had encroached by illegal construction and when
the informant being S.H.O. Hilsa P.S. asked to stop the
construction work in the lane, the petitioners along with 8-10
unknown persons started abusing and pelting stones and created

obstruction in discharge of official duty, due to which some members of the police party sustained injury.

It has been submitted by the learned counsel for the petitioners that they are innocent having no criminal antecedent. It has further been submitted by the learned counsel for the petitioners that no case under Section 307 of the Indian Penal Code is made out against them as no apparent injury has been found on the body of the police personnel as is evident from the injury report annexed as Annexure-2 series in this application. It has further been submitted that the allegation upon them are general and omnibus and it was a mob attack and some persons including the petitioners have been named in the FIR.

However, the learned APP for the State submits that petitioners are named in the FIR. He further submitted that petitioner No.1 Ranjeet Kumar is an accused in three cases and petitioner No.2 Vinay Kumar is an accused in two cases, pending against them, but although all of a different nature hence, opposes the prayer for bail. The counsel for the petitioners submits that in all these cases the petitioners are on bail.

Be that as it may, let the 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 only) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Hilsa (Nalanda) in connection with Hilsa P.S. Case No. 100 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Nilu Agrawal, J.)

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