

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.30889 of 2016

Arising Out of PS.Case No. -145 Year- 2015 Thana -ROHTAS District- SASARAM (ROHTAS)

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1. Harendra Kumar, Son of Chandradeo Yadav @ Chandradeo Singh
 2. Farid Ansari, son of Late Sarfuddin Ansari.
 3. Anil Kumar, son of Ramjee Yadava
 4. Saryug Singh @ Saryu Singh
 5. Dharmraj Singh Sons of Chandrika Singh
 6. Surendra Singh @ Surendra Kumar Singh, son of Late Suryadeo Singh
 7. Bheem Singh Son of Sarju Yadava
 8. Sahajad Alam, son of Ahmad Hussain All resident of Village: Mahurawan, P.S & District: Rohtas.
 9. Manish Kumar, son of Kailash Singh, resident of Village: Khajuri P.S & District: Rohtas.

.... Petitioners

Versus

The State of Bihar

... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sada Nand Roy

For the Opposite Party/s : Mr. Anil Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 04-08-2016 Heard learned counsel for the parties.

The petitioners are apprehending their arrest in a case registered for the offence punishable under sections 147, 148, 149, 323, 379, 427, 337, 338, 435, 436. 504. 307. 353 of the Indian Penal Code and 3(2)(e) of The Prevention of Damage to Public Property Act.

Prosecution case as per self statement of Vijay Kumar Gupta, SHO, Rohtas P.S. is to the effect that on 5.11.2015 at 5 PM information was received that a Dumper driver dashed 2-3 persons, one cow and she-goat, the informant made Sanha entry

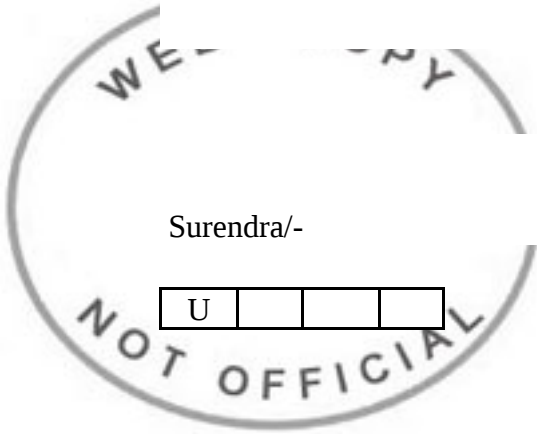


and reached at the house of Md. Muslim Ansari and found the dead body of two persons, a cow and a she-goat but the mob in spite of assurance did not allow the dead body to be lifted, damaged the vehicles, as a result the driver and Khalasi received injury. The accused persons also lit the police jeep on fire. The Chaukidar identified 18 persons leading to registration of the First Information Report against 18 known and 100 unknown persons.

It is submitted by the learned counsel for the petitioners that the accusation is omnibus and general against the mob. Maliciously the petitioners have been roped in the present case. The petitioner is not accused in any other case except Rohtas P.S.Case No. 144/2015 registered on 16.11.2015 for the same occurrence with the accusation for the offence punishable under sections 147, 148, 149, 323. 379. 427. 337. 338. 435. 436. 504, 304 of the Indian Penal Code by the Dumphier driver.

Considering the accusation against the mob and the accusation being omnibus and general, let the petitioners, abovenamed, in the event of their arrest or surrender before the court below within a period of twelve weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the S.D.J.M., Dehri, District Rohtas in Rohtas

P.S.Case No. 145/2015, subject to the conditions as laid down
under section 438(2) of the Cr.P.C.



(Dinesh Kumar Singh, J)

Surendra/-

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