

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.50920 of 2016

Arising Out of PS.Case No. -67 Year- 2015 Thana -CHANDAN District- BANKA

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1. Ajad Ansari, S/o- Basir Ansari.
 2. Pappu Sekh, S/o- Alim Shekh @ Halim Shek.
 3. Sabir Ansari, S/o- Ilahi Ansari @ Mian.
 4. Jahangir Shekh, S/o- Isaque Shekh.
 5. Jasad Ansari, S/o- Halim Ansari.
 6. Mustkim Ansari, S/o- Idrish Ansari @ Mustafa Ansari.
 7. Taslim Ansari, S/o- Samshul Ansari.
 8. Mumtaj Ansari @ Chhota Mumtaz @ Hibba, S/o- Rojan Miyan.
 9. Chirauddin Ansari @ Chirakuddin Ansari, S/o- Manir Ansari.
 10. Jabir Ansari, S/o- Ilahi Miyan. All are Resident of Village- Goda (Chandan), P.O.+P.S.- Chandan, District- Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Kumar Giri

For the Opposite Party/s : Mr. Smt. Gulnar Begam

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 06-12-2016 Learned counsel appearing on behalf of petitioners submits that petitioner no. 4, Jahangir Shekh, has already been arrested by the Police, as such, he seeks permission to withdraw the application of petitioner no. 4.

In view of the above submission, the application of petitioner no. 4, Jahangir Shekh, is dismissed as withdrawn.

Heard learned counsel for the petitioner nos. 1 to 3 and 5 to 10 and the learned A.P.P. for the State.

The petitioners apprehend their arrest in



connection with Chandan P.S. Case No. 67 of 2015 registered under Sections 144, 283, 332, 342 and 353 of the Indian Penal Code.

The accusation is that due to accident of Tampoo and Bus on 07.07.2015 at Khijuria turning point, three persons sustained injury and one Jaffaruddin Ansari died. Due to that reason, the villagers blocked the Deoghar-Katoria main road. On receiving information about blockading the road, the informant, the District Transport Officer, deputed in the election of M.L.C., reached on the spot along with the Officer-in-Charge and other officials and tried to disburse the gathering, but they were making demand of compensation due to death of deceased Jaffaruddin Ansari. In spite of giving assurance of proper compensation to the aggrieved family, the mob started stone pelting and blockading the road more than one hour.

Learned counsel appearing on behalf of the petitioners submits that it would appear from the F.I.R. that petitioners are not named in the F.I.R. It is only alleged that 30 to 40 male, 15 to 20 female, 15 to 20 senior citizen and 15 to 20 children were present in blockading the road without disclosing their names. In course of investigation, the name of petitioners have surfaced mere on suspicion, who have no criminal



antecedent.

Having considered the facts and circumstances of the case, let the above named petitioner nos. 1 to 3 and 5 to 10 be released on bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the C.J.M., Banka in connection with Chandan P.S. Case No. 67 of 2015, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Rajendra Kumar Mishra, J)

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