

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.44008 of 2016

Arising Out of PS.Case No. -65 Year- 2016 Thana -DEORIYA District- MUZAFFARPUR

- =====
1. Gajendra Kumar, Son of Chandrika Rai
 2. Chandrika Rai
 3. Raghuni Rai
 - Both Sons of Late Mishir Rai alias Kishore Rai
 4. Surendra Rai, Son of Raghuni Rai
 5. Rajendra Rai, Son of Chandrika Rai
 6. Nawal Rai, Son of Late Badri Rai
 7. Shiv Balak Rai, Son of Dhanna Rai
 8. Bhogi Rai, Son of late Bhakha Rai All are of Village - Muja Bangra, P.S. Deoria, District - Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate.

For the Opposite Party/s : Mr. Sri Jai Narain Thakur, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 06-10-2016

Heard learned counsel for the parties.

The petitioners seek pre-arrest bail in connection with Deoriya P.S. Case No. 65 of 2016 dated 15.07.2016 registered under sections 143, 147, 148, 149, 323, 324, 325, 341, 342, 307, 427, 435, 332, 333, 353, 379, 504, and 506 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioners is that they were part of a mob, which created nuisance and damaged the passing vehicles.

Learned counsel for the petitioners submits that there was an

accident in which two persons died as a result of which villagers had turned out and whatever happened was on the spur of the moment and without premeditation. It is further submitted that there were two other cases also for the same incident.

Learned A.P.P. opposes the prayer and submits that the act of the petitioners has compromised the local peace and security in the area as they are alleged to have damaged many vehicles, blocked the road and even obstructed the ambulance which was taking the injured to the hospital. He further submitted that the allegation is that the mob also tried to kill the driver as well as the persons who were travelling in the vehicle which was involved in the accident.

Having considered the rival contentions, this Court is not inclined to grant anticipatory bail to the petitioners. Accordingly, the application stands dismissed.

However, in the event the petitioners surrender before the court below, within one month from today, and seek regular bail, the same shall be considered on its own merits without being prejudiced by the present order.

(Ahsanuddin Amanullah, J)

Sujit/-

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