

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54998 of 2016

Arising Out of PS.Case No. -120 Year- 2016 Thana -BHELDI District- SARAN

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1. Vishwakarma Singh @ Manu Singh, Son of Late Rameshwar Singh, Resident of Village- Sandalpur, P.S.- Bheldi, District- Saran.
 2. Shivji Gupta, Son of Late Rama Sah, Resident of Village- Basatpur, P.S. Bheldi, District- Saran.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh

For the Opposite Party/s : Mr. Manoj Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 22-12-2016 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with Bheldi P.S. Case no. 120 of 2016, registered under Sections 147, 148, 149, 427, 448, 436, 353, 379, 153(A), 504 and 506 of the Indian Penal Code.

The accusation is that on 06.08.2016 at about 2.00 P.M. some miscreants attacked on mosque and school raising antisocial slogans against the Muslim community. The miscreants also damaged their holy book (Kuran) after taking from mosque, utensils, official papers of the school and they also set fire on it. It is further alleged that some articles were also taken away by them. Out of the miscreants, 13 persons, named in the F.I.R., were identified by the informants.

Learned counsel for the petitioners submits that Bheldi P.S. Case no. 120 of 2016, registered under Sections 147, 148, 149,



427, 448, 436, 353, 379, 153(A), 504 and 506 of the Indian Penal Code on the basis of written report signed by eight people of Muslim community with allegation that miscreants damaged their holy book (Kuran), utensils, official papers of the school and also put fire on it, but in the course of investigation, no sign of fire was found at the place of occurrence as detailed in para-6 of order dated 15.09.2016 passed in ABP No. 2397 of 2016 by which the prayer for anticipatory bail has been rejected by learned 1st Addl. Sessions Judge, Saran at Chapra. Further submission is that petitioners are resident of vicinity of Solepur Bazar, where the mosque and school are situated and with ulterior motive their names have been figured without any overt act. Further submission is that petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their 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 Judicial Magistrate, 1st Class, Saran at Chapra in connection with Bheldi P.S. Case No. 120 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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