

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14453 of 2016

Arising Out of PS.Case No. -38 Year- 2015 Thana -HASANGANJ District- KATIHAR

- =====
1. Kamal Das @ Kamaldeo Das S/o Late Babulal Das
 2. Gopal Das S/o Kamal Das
 3. Shiv Pal Das S/o Do
 4. Domi Devi W/o Do
 5. Rubi Devi D/o Do
 6. Ramesh Das @ Ramesh Kumar Das, S/o Chamru Das, All are R/Vill.- Babaiya, P.S.- Hasanganj, District- Katihar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate
For the Opposite Party/s : Mr. Anuradha Singh(APP)

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 28-04-2016 Heard learned counsel for the petitioners and

learned APP for the State.

Petitioners apprehend arrest in connection with
Hasanganj P.S. Case No. 38/15 for offences alleged under
Sections 147, 148, 149, 341, 342, 323, 333, 353, 307, 379, 504,
506, 120-B of the Indian Penal Code.

The prosecution case, as lodged by the informant,
is that seeing the police party petitioners including others became
aggressive and attacked the police force with *lathi*, *danda* and
bricks. They also assaulted the informant on his left hand and
snatched his service revolver and mobile as also injured other

police personnel.

It has been submitted by learned counsel for the petitioners that they are innocent having no criminal antecedent, as is evident from paragraph 3 of this application, the allegations upon them are general and omnibus and no overt act has been alleged against these petitioners. He further submits that, although, 18 persons have been named in the First Information Report including the petitioners, but there was a mob of 300-400 people who turned violent. It has further been submitted that the victim Chandra Devi had lodged Hasanganj P.S. Case No. 37/15 wherein she is alleged to have been victimized by the villagers of being witch, which was under investigation and that the mob turned violent.

However, learned APP for the State submits that the petitioners are named in the First Information Report and opposes the prayer for bail.

Be that as it may, since the allegations upon the petitioners are general and omnibus and there was a mob attack, let 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) each with two sureties of the like amount

each to the satisfaction of learned Judicial Magistrate 1st Class,
Katihar, in connection with Hasanganj P.S. Case No. 38/15,
subject to the conditions as laid down under Section 438(2)
Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

U		T	
---	--	---	--