

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38419 of 2016

Arising Out of PS.Case No. -227 Year- 2016 Thana -SHERGHATI District- GAYA

1. Baban Kumar son of late Girija Singh
2. Pintu Singh son of Rajesh Singh
3. Rajnish Kumar Gautam @ Tewarijee son of late Ramadhar Singh
4. Chhotan Singh son of Girijesh Singh
5. Rajesh Singh son of Ram Kumar Singh
6. Jugal Gautam @ Panditjee son of late Girija Singh
7. Tutu Singh son of Sambhu Singh
8. Rahul Singh son of late Kapil Singh All are resident of Village- Kathar,
P.S- Sherghati, Dist- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

with

Criminal Miscellaneous No.41697 of 2016

Arising Out of PS.Case No. -227 Year- 2016 Thana -SHERGHATI District- GAYA

1. Rohit Kumar @ Bipin Singh Son of Ram Niwash Singh resident of
Village- Kathar, P.S.- Sherghati, Dist- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.38419 of 2016)

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Sri Upendra Kumar

(In Cr.Misc. No.41697 of 2016)

For the Petitioner/s : Mr. Rajendra Prasad

For the Opposite Party/s : Mr. Sri Mithilesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

4 28-10-2016

Heard both sides.

The petitioners apprehend their arrest in Sherghati

P.S. Case No. 227 of 2016, registered for the offences punishable under Section 307 and other Sections of the Indian Penal Code.

Abhishek Kumar Singh, Director of Westlink Trading private Limited alleged that his company is engaged for mining sands from Mahuawa Ghat, but on 24.05.2016 many persons gathered and set ablaze the vehicles of the company. Some accused persons were apprehended and many others fled away. The informant named the petitioners.

Learned counsel for the petitioners submits that the petitioners are named in the FIR but no specific allegation is made against the petitioners. Similarly situated sixteen co-accused persons have been granted anticipatory bail vide order dated 27.10.2016 passed in Cr. Misc. No. 44477/2016. The case of the petitioners stands on the same footing.

Usually, in such a case where the mob create panic among the people on public place and used to take law and orders in hands but since similarly situated accused persons have already been granted anticipatory bail by a bench of this Court, the petitioners above named in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged 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 learned Additional Chief Judicial Magistrate, Sherghati, Gaya in connection with Sherghati P.S. Case No. 227/2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J.)

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