

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51855 of 2016

Arising Out of PS.Case No. -102 Year- 2016 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Suresh Rai.
 2. Nawal Rai.
 3. Indrajeet Rai.
 4. Jai Mangal Rai.
 5. Brajesh Kumar.
 6. Nitish Rai.
 7. Nathan Rai.
 8. Dharmendra Rai.
 9. Rajnand Rai.
 10. Tuntun Rai.
 11. Ram Sagar Rai.
 12. Ratan Kumar.
 13. Munna Kumar alias Shudhanshu Kumar.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioners : Mr. Arun Kumar, Advocate.

For the Opposite Party : Mr. Dr.Mrityunjaya Kr.Gautam, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-12-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners are apprehending their arrest in connection with Madhuban P.S. Case No. 102 of 2016 for the offences instituted under Sections 188, 171(F), (C), 324, 323, 307, 332, 333, 353, 341, 147, 148, 149 of the IPC and 126 of the R.P.Act.

The prosecution story, in brief, is that on 23.04.2016, the



informant received information from Dy. S.P., Pakaridayal, that about 200-300 supporters of Mukhiya Candidate, Reena Devi, in the leadership of Mukesh Rai have made a Rally in spite of this fact that the election campaign time is already over. He entered a Sanha and went there alongwith the police party where he saw FIR named accused persons including the petitioners and unknown about 200-300 people were making slogans 'Reena Devi Zindabad' and were moving there. He stopped Mukesh Rai, the husband of Reena Devi and demanded permission paper but he did not produce any paper, then he was taken into custody. Then the supporters and other people armed with Lathi-Danda, attacked upon them and started committing mar-pit and they got set Mukesh Rai free from the custody. They caused damage to the police and also committed mar-pit with them and gave threatening to remove their garments. One motorcycle was seized in presence of the witnesses.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. General and omnibus allegation has been made against them. They have been made accused due to political rivalry. The incident is said to have taken place in connection with Panchayat Election.



On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, be released on bail in the event of their arrest or surrender before the learned court below within a period of six weeks from today in connection with Madhuban P.S. Case No. 102/2016 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 A.C.J.M.-IV, East Champaran at Motihari, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

