

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13672 of 2016

Arising Out of PS.Case No. -178 Year- 2015 Thana -ISHAKCHAK District- BHAGALPUR

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1. Panchu Mandal son of Late Gobind Mandal,
 2. Sadan Paswan son of Late Babu Lal Paswan
 3. Raju Mandal @ Raj Kumar Roy son of Late Jamun Mandal,
 4. Devanand Kumar Roy @ Devanand Paswan son of Late Began Paswan
 5. Dheeraj Kumar Roy son of Mahendra Roy
 6. Niraj Kumar Roy @ Bablu Roy son of Mahendra Roy
 7. Rajendra Paswan son of Began Paswan

All are residents of Bishahri Asthan (Garaiya Tola) Gumti No. 2,
Bhikhanpur, P.S.- Ishakchak, District- Bhagalpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiwesh Chandra Mishra, Advocate

For the State : Mr. Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 31-03-2016 Learned counsel for the petitioners is permitted to make

necessary correction in the cause title of the application.

Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection with

Ishakchak P.S. Case No. 178 of 2015 registered under Sections
143, 144, 145, 147, 148, 149, 151, 341, 323 and 353 of the Indian
Penal Code.

It is contended by the learned counsel for the



petitioners that apart from section 353 of the Indian Penal Code all other sections are bailable in nature. It is further contended that there is no allegation in the entire FIR that any overt act was made by any of the accused persons named in the FIR. The only allegation is that a peaceful protest was being made by about sixty persons against the high handedness of the police and the members of the protesting party had blocked road for about two hours. It is also contended that so far as the petitioners are concerned, the names have been mentioned in the FIR merely on suspicion and they have no criminal antecedent.

Learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioners.

Regard being had to the nature of allegation, in the event of arrest or surrender in the court below within four weeks from today, the petitioner, namely, Panchu Mandal, Sadan Paswan, Raju Mandal @ Raj Kumar Roy, Devanand Kumar Roy @ Devanand Paswan, Dheeraj Kumar Roy, Niraj Kumar Roy @ Bablu Roy, Rajendra Paswan, are directed to 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 ACJM-VI, Bhagalpur in connection with Ishakchak P.S. Case No. 178 of 2015 subject to the conditions as laid down under Section

438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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