

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.6628 of 2016

Arising Out of PS.Case No. -5 Year- 2015 Thana -CHEWRA District- SEKHPURA

1. Prakash Kebat Son of Lekha Kebat
2. Ashish Kebat Son of Botali Kebat
Both Residents of Village- Chewara, Beldariya, P.S.- Chewara, District-
Sheikhpura

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Harendra Prasad (App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 12-02-2016

Heard learned counsels for the petitioners
and the State.

The petitioners are apprehending their
arrest in a case registered for the offences punishable under
Sections 147, 148, 149, 448, 427, 337, 338, 332, 333, 353, 323,
326, 325, 307 and 120B of the Indian Penal Code.

The prosecution case is that the informant
being a Police Officer saw extorting money from the drivers of
the vehicle on the road. Thereafter, the informant came to police



station, got statement recorded, registered Chewara P.S. Case No. 04 of 2015 levelling accusation under Sections 147, 148, 149, 384, 385, 386, 387, 504 and 506 of the IPC against nine accused persons and 5-7 unknown. Subsequently the accused persons of the present FIR entered into the premises of the police station, damaged the govt. vehicle, furniture and the documents when Suresh Kewat assaulted with sharp cutting weapon on the head of the informant causing injury.

It is submitted by learned counsel for the petitioners that the petitioners are not accused in the earlier case Chewara P.S. Case No. 04 of 2015 and the accusation in the present case is specific against Suresh Kewat. Accusation is omnibus and general against the mob including the petitioners. A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent and considering the above facts co-accused persons have been granted anticipatory bail by co-ordinate Bench of this Court vide Cr. Misc. Nos. 45367 of 2015 and 1118 of 2016.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of

Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-divisional Judicial Magistrate, Sheikhpura in connection with Chewara P.S. Case No. 05 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



(Dinesh Kumar Singh, J)

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