

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3761 of 2016

Arising Out of PS.Case No. -25 Year- 2010 Thana -WEST CHAMPARAN GRP CASE District-
WESTCHAMPARAN(BETTIAH)

- =====
1. ASTAQUE KHAN @ BHIKHARI @ ASHFAQUE KHAN @
ASHFAQUE Son of Late Idrish Khan
 2. Mustafa @ Mustafa Son of Late Sheikh Sadique
 3. Shakeel Ahmad Son of Sheikh Ali Raja
 4. Umesh Sah Son of Lochan Sah
 5. Bikau Khan Son of Late Idrish Khan
- All residents of village - Barwa Barauli, P.S. Shikarpur, District - West
Champaran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate
For the Opposite Party/s : Mr. Murlidhar(App)

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

2 25-01-2016 Heard learned counsel for the petitioners and the
State.

Petitioners have renewed their prayer for bail in a
case registered for the offences punishable under Sections
147, 146, 149, 447, 323, 337, 353, 224, 225, 427, 435, 511 of
the Indian Penal Code and 141, 146, 151, 174 of the Railway
Act.

The prosecution case is that on 18.04.2010 at
about 9.30 A.M. when someone got down from train no. 216
down after chain pulling, then he was apprehended and
disclosed his name as Astaque Khan. Subsequently other

accused persons tried to get the apprehended person free and pelted stones and put fire-arm, causing injury to the armed forces. Earlier bail application of the petitioners was dismissed as withdrawn vide Cr. Misc. No. 18858 of 2010 on 20.09.2010.

It is submitted by the learned counsel for the petitioners that earlier bail application of the petitioners was dismissed as withdrawn. Since, Final Form was submitted in 2010, but differing with the Final Form cognizance was taken.

Considering the accusation against mob, this is a case for consideration of prayer for regular bail, let the learned court below consider the prayer for regular bail of the petitioners, if the petitioners surrender before the learned court below within a period of six weeks from today in connection with Narkatiaganj Rail P.S. Case No. 25 of 2010, pending in the court of learned Railway Judicial Magistrate, Bettiah, West Champaran.

With the above observation this application is disposed of.

(Dinesh Kumar Singh, J)

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