

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.40816 of 2016

Arising Out of PS.Case No. -16 Year- 2016 Thana -NARARI KALA KHURD District-
AURANGABAD

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1. Nageshwar Paswan, S/o Late Girja Paswan,
2. Janeshwar Paswan, S/o Late Girja Paswan, Both R/o Vill. Raghunathpur,
P.S. Narari Kala Khurd, District- Aurangabad.
3. Arjun Singh @ Arjun Yadav @ Anuj Yadav, S/o Somaru Yadav
4. Rohit Prasad Yadav @ Rohit Yadav @ Raj Kumar Yadav S/o Somaru
Yadav Both R/o Vill. Sasana, P.S. Narari Kala Khurd, District-
Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh

For the Opposite Party/s : Mr. Sri Awadhesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 23-09-2016 Heard learned counsel for the petitioners and the
learned counsel appearing on behalf of the State.

This application for anticipatory bail arises out of
Kala Khurd P.S. Case No. 16 of 2016, disclosing offences
under Sections 147, 148, 149, 228, 323, 326, 337, 338,
307, 395, 427, 504, 506, 120B of the Indian Penal Code,
Section 25(1-b) a/26/27/35 of the Arms Act and Section 3 of
the Damage of Public Property Act.

From the First Information Report, it appears that
over some dispute between the management and the
labourers of the National Thermal Power Corporation at



Navinagar in the District of Aurangabad, an atmosphere of tension amongst them was prevailing. To ensure peace, the police party had gone to NTPC premises. It is alleged in the First Information Report that the persons, who were protesting disturbed peace attacked the police party. In self defence, the police had to open fire. There are altogether 29 persons named in the First Information Report. Allegedly, 200-250 unknown persons are also participated in the commission of the offence.

Learned counsel appearing on behalf of the petitioners has submitted that the petitioners had also received fire arm injuries, who were treated in the Patna Medical College & Hospital. It has also been submitted that there is no specific allegation of any overt act against these petitioners.

Considering the above, this application is allowed.

Let petitioners above-named in the event of their arrest/surrender within four weeks from today in the Court below be released 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 I/C Chief Judicial Magistrate, Aurangabad in Kala Khurd P.S. Case No. 16 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

ArunKumar/-c

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