

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29700 of 2016

Arising Out of PS.Case No. -59 Year- 2013 Thana -AURANGABAD TOWN District-
AURANGABAD

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1. Jhapsi Mallah @ Jhapi Choudhary, Son of Late Sita Ram Choudhary
2. Raj Kumar Chaudhary, son of Kanhai Chaudhary
3. Gera Choudhary, son of Binod Chaudhary, all are residents of Village -
Baratpur, Ward No. 30, P.S. Town Aurangabad, District - Aurangabad
..... Petitioners

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioners : M/S Pramendra Kumar Singh &
Rajeshwar Singh, Adv.

For the Opposite Party : Mr. Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 31-08-2016

The learned counsel for the petitioners submits that he does not want to pressed the anticipatory bail application on behalf of petitioners 1 and 2, namely, Jhapsi Mallah and Raj Kumar Chaudhary, respectively, as they have already been taken in custody.

Accordingly, this application, in so far it concerned the petitioners 1 and 2, stands dismissed as not pressed.

Heard the learned counsel for the petitioner and the State.

This is a petition for grant of anticipatory bail for offence under Sections 147, 148, 149, 307, 353, 379, 224, 511, 323, 504, 337, 427, 435, 332 and 290 of the Indian Penal Code.

It is contended that on account of death of a person in a road accident, the mob had confined the driver of the vehicle, but, subsequently, he was arrested, however, again, the mob had got him forcibly released and had attacked the police vehicle also. It is contended that the allegation is against the mob of twenty named and several unknown persons and it is contended that so far

the petitioner no. 3 is concerned, he has not been attributed with any specific role in getting the driver forcibly released. It is also contended that several other similarly situated persons have already been granted anticipatory bail by different cognizable offence-ordinate Benches of this Court vide Annexures 2 and 2/A to this application.

Hence, having regard to the facts and circumstances of the case, the petitioner no. 3, above named, in the event of his arrest or surrender, within four weeks from the date of receipt of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with the Aurangabad Town P.S. Case No. 59 of 2013 to the satisfaction of the Chief Judicial Magistrate, Aurangabad, subject to the condition laid down under Section 438(2) of the Criminal Procedure Code.

(Dr. Ravi Ranjan, J)

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