

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.227 of 2016

Arising Out of PS.Case No. -108 Year- 2015 Thana -GHORASAHAN District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Mumtaj Mian son of Late Bhikhari Miyan.
 2. Raj Mohamad son of Prince @ Raimuddin Miyan
 3. Hari Narayan son of. Late Prithvi Chand Chaudhari
 4. Gopi Krishna Prasad son of Late Prithvi Chand Chaudhari
- All are residents of village and P.S. Ghorasahan, District- East
Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Pandey, Advocate
For the State : Mr. Surendra Prasad Singh, APP

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

3 11-04-2016 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection with
Ghorasahan P.S. Case No.108 of 2-15 registered under Sections
147, 148, 149, 341, 342, 324, 307, 353, 332, 333, 337, 338, 427,
504, 505 and 120B of the Indian Penal Code.

It is contended that there is general and omnibus
allegation in the FIR against 27 named accused and 200 to 280
unknown miscreants, who had obstructed the police from
performing their duty. The leader of the mob was one Prabhu
Narayan Prasad @ Prabhu Prasad who has already been granted

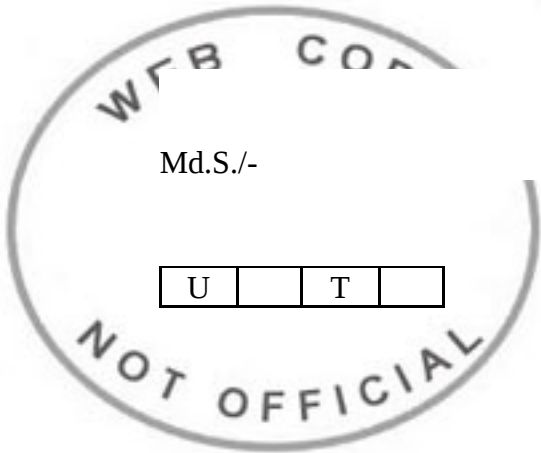


pre-arrest bail by a Bench of this Court vide order dated 27.7.2015 passed in Cr. Misc. No.25895 of 2015 and relying on the same several other accused persons being identically situated to that of the petitioners have already been granted pre-arrest bail by a Bench of this Court vide order dated 9.10.2015 passed in Cr.Misc. No.41242 of 2015 and analogous cases. It is further contended that the petitioners have no criminal antecedent and have got roots in the society and is not likely to abscond or tamper with the evidence.

Learned counsel for the State has opposed the application for grant of pre-arrest bail to the petitioners. However, he concedes that other accused persons having identical allegation have already been granted pre-arrest bail by different orders of this Court.

Regard being had to the facts and circumstances of the case, in the event of arrest or surrender in the court below within four weeks from today, the above named petitioners 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 Sub Divisional Judicial Magistrate, Sikrahana at Motihari in connection with Ghorasahan P.S.Case No.108 of 2015 subject to the conditions as laid down under

Section 438(2) of the Code of Criminal Procedure.



Md.S./-

(Ashwani Kumar Singh, J)