

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6040 of 2017

Arising Out of PS.Case No. -80 Year- 2016 Thana -SHAMBHUGANJ District- BANKA

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Purushottam Kumar Singh, S/o Late Rajendra Singh, Resident of Village-
Karsop, Police Station-Shambhuganj, District-banka

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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with

Criminal Miscellaneous No.6207 of 2017

Arising Out of PS.Case No. -80 Year- 2016 Thana -SHAMBHUGANJ District- BANKA

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Fighter @ Hanna @ Md. Abdul Rashid @ Md. Fighter, S/o Salimuddin @
Md. Salim, R/o Village Khapra (Araji Karsop), Police Station-
Shambhuganj, District- Banka.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

(In Cr.Misc. No.6040 of 2017)

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Sri Manish Kumar 2

(In Cr.Misc. No.6207 of 2017)

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. Sri Mustaque Alam

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

2 06-03-2017 Both the aforesaid applications arise out of

Shambhuganj P.S. Case No. 80 of 2016, registered under

Sections 147, 148, 149, 341, 323, 307, 353, 380, 427, 435, 504,

506 and 120(B) of Indian Penal Code and Section 3/4 of

Damage to Public Property Act. Therefore, both the aforesaid

applications have been heard together and are being disposed of



by this common order.

The accusation is that the occurrence of Marpit took place in between two groups on 11.06.2016 in village Karnpur due to land dispute in which Anandi Prasad, Dharendra Prasad Singh, Birendra Mandan and Rupama Devi were sustained injury and they were rushed for treatment to the hospital. Later on, injured Dharendra Prasad Singh died and his dead body was kept by mob at the turning of Karanpur market. The informant being the Officer-in-Charge of Shambhuganj P.S. was in investigation of Shambhuganj P.S. Case No. 78 of 2016 instituted regarding the said occurrence then come to know that some people has gone at the Police Station. When he along with other Police official tried to disburse of 300-400 people then mob started to damage the official records and also put the vehicle on fire and several records were also torn by them. At that time 56 persons were identified to mob.

Learned counsel for the petitioners submits that it would appear from the F.I.R. that the petitioner Purushottam Kumar Singh is not named in the F.I.R. and his name has come in course of investigation. As far as petitioner Fighter @ Hanna @ Md. Abdul Rashid @ Md. Fighter is concerned while he is named in the F.I.R., but only allegation against him and 13 others that they were present in the campus but allegation putting fire on vehicle and damaging records etc. is against



other named accused. Further submission is that Purushottam Kumar Singh is in custody since 16.10.2016 and petitioner Fighter @ Hanna @ Md. Abdul Rashid @ Md. Fighter is in custody since 05.12.2016.

Having regard to the facts and the circumstances of the case, the petitioners, above named, are directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the SDJM, Banka in connection with Shambhuganj P.S. Case No. 80 of 2016.

(Rajendra Kumar Mishra, J)

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