

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60916 of 2017

Arising Out of PS.Case No. -221 Year- 2017 Thana -AKBARPUR District- NAWADA

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1. Ram Swarup Choudhary, son of Chandrika Choudhary,
 2. Sonu Choudhary @ Sonu Kumar, son of Chandrika Choudhary,
 3. Sunil Kumar, son of Chandrika Choudhary, all are resident of village-
Pachrukhi, P.S. Akbarpur, District-Nawada.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Niraj Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 14-12-2017 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Akbarpur P.S. Case no. 221 of 2017, registered under Sections 147,
149, 341, 337, 295 (A), 153(A) and 295 of the Indian Penal Code.

The accusation is that in course of procession of
Muharram through Hanuman Mandir, Antu, Mantu Chandrika
petitioners along with 10-15 persons started pelting stones on the
procession. At that time, Md. Mukhtar Alam, Sajid Faiyaj and other
10-15 persons also started pelting stones. Thereafter, Antu Kumar,
Mantu Kumar, Chandan Kumar, Md. Mukhtar, Md. Sajid Kalam were
apprehended.

Learned counsel for the petitioners submits that it would
appear from the F.I.R. that five persons indulging in the pelting stones



were apprehended. Further submission is that while petitioners are named in the F.I.R. with allegation of pelting stones at the member of the procession of Muharram, but no specific overt act has been attributed against the petitioner. The petitioners have not apprehended on the spot. The petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Addl. Chief Judicial Magistrate, 1st Class, Nawada in connection with Akbarpur P.S. Case No. 221 of 2017, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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