

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47408 of 2017

Arising Out of PS.Case No. -63 Year- 2017 Thana -LADANIA District- MADHUBANI

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1. Ratan Mukhiya, Son of Maniram Mukhiya, Resident of Village-Jhalaun.
 2. Hira Devi @ Smt. Hira Devi, W/o Surya Narayan Sahni, Resident of Village- Pathrahi.
 3. Shiv Kumar Mukhiya, Son of Dewan Mukhiya, Resident of Village-Kabilasa.
 4. Sukan Prasad Mukhiya, Son of Sahdeo Mukhiya, R/o Village- Kabilase, All P.S.- Ladania, District- Madhubani.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Advocate

For the Opposite Party/s : Mr. Sri Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

- 2. 17-10-2017** Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

The petitioners, in the present case, are seeking anticipatory bail in connection with Ladaniya P.S. Case No. 63/2017 for the offences under Sections 147, 149, 341, 342, 323, 427, 504, 506, 384, 354 of the Indian Penal Code, pending in the court of learned Additional Chief Judicial Magistrate- IV, Madhubani.

Learned counsel for the petitioners submits that in the F.I.R. lodged by the Block Development Officer, it is stated that a group of fifty persons assembled in the Block



Office and they were pressurizing the staffs posted in the Block to include their names in the voter list of fisheries cooperative society. There had been some law and order problem there as the mob allegedly damaged the office and the documents kept there. The mob also abused the staffs and damaged the door of the R.T.P.S. One Sri Brahamdeo Paswan caused some specific damage and threatened the Block Development Officer of dire consequences.

Having alleged generally against the entire mob the informant claimed that few persons could be identified in the mob. These petitioners are the persons said to have been identified but no specific allegation of causing any damage to the property have been made against these petitioners. He further submits that learned Sessions Judge has granted privilege of anticipatory bail to Binod Sahni, Shambhu Kumar Nishad and Ram Prasad Mukhiya who were also identified by the Block Development Officer and against whom there was no specific allegation. The case of these petitioners is not standing on a different footing but their application has been rejected.

On the other hand, learned APP opposes the prayer for bail of the petitioner and submits that they were



members of the mob who had involved in damaging the public property.

Considering the facts and circumstances of the case particularly that the allegations are general in nature and against a mob of fifty persons and there is no specific allegation against these petitioners save and except that they have been identified to be there and three persons named in the F.I.R. have already been granted privilege of anticipatory bail by the learned Sessions Judge, in the event of their arrest/surrender before the court below within a period of four weeks, let the petitioners above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- IV, Madhubani in connection with Ladaniya P.S. Case No. 63/2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Rajeev/-

(Rajeev Ranjan Prasad, J.)

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