

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61036 of 2017

Arising Out of PS.Case No. -299 Year- 2017 Thana -NOKHA District- SASARAM (ROHTAS)

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1. Sonu Sharma @ Sonu Kumar, Son of Gopal Sharma @ Gopal Nai, resident of Village/Mohalla- Alijan Chowk Nokha, P.S.- Nokha, District- Rohtas.
 2. Pankaj Kumar @ Pankaj Kumar Gupta, son of Amarnath Gupta @ Amar Nath Prasad, resident of Village/Mohalla- Indrapuri, Nokha, P.S.- Nokha, District- Rohtas.
 3. Anil Hindu @ Anil Kumar @ Anil Kumar Hindu, son of Late Baijnath Prasad, Resident of Mohalla- Sarvodaya Nagar, Nokha, P.S.- Nokha, District- Rohtas.
 4. Ravi Kumar Nephew of Prabhat Tent House, S/o Shiv Pujan Prasad Keshari, resident of village + P.O.- Pusauli, P.S.- Kudra, Dist.- Kaimur (Bhabhua).

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sandip Singh, Advocate

For the Opposite Party/s : Smt. Anusuiya Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH

ORAL ORDER

2 22-12-2017 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners seek pre-arrest bail in connection with
Nokha P. S. Case No.299 of 2017 registered under Sections 147,
148, 149, 341, 323, 307, 353, 436, 427, 504, 153-A, 295-A and
505-C of the Indian Penal Code.



It is submitted by the learned counsel for the petitioners that 92 persons including the four petitioners have been named with general and omnibus allegation that they indulged in inciting the community of one religion against another. He submitted that the petitioners had nothing to do with the alleged incident and their names have been given merely on guess work, as they are residents of locality having no criminal antecedent. He submitted that in the alleged incident, no damage was caused to any public property and co-accused Bittu Kumar having similar allegation to that of the petitioners has also been granted pre-arrest bail by a Bench of this Court vide order dated 29.11.2017 passed in Cr. Misc. No. 56358 of 2017.

Learned Additional Public Prosecutor for the State opposed the prayer for grant of pre-arrest bail to the petitioner. However, he did not dispute that co-accused Bittu Kumar having identical allegation to that of the petitioners has been granted pre-arrest bail by a co-ordinate Bench of this Court.

Regard being had to the facts and circumstances of the case, the petitioners named above are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate,



Sasaram, Rohtas in Nokha P. S. Case No.299 of 2017, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure, in the event of arrest or surrender before the court below within six weeks from today.

(Ashwani Kumar Singh, J.)

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