

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60521 of 2017

Arising Out of PS.Case No. -322 Year- 2017 Thana -JAMUI District- JAMUI

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1. Rajesh Kumar Modi Son of Late Lakhan Prasad Modi,
2. Guddu Modi, Son of Late Lakhan Prasad Modi, both are resident of
Village- Maharajganj, P.S. and District- Jamui.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Prasad

For the Opposite Party/s : Mr. Sri Mukeshwar Dayal

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 19-12-2017 Heard learned counsel for the petitioners as well as
learned A.P.P. for the State.

The petitioners seek regular bail in connection with
Jamui P.S. Case No.322 of 2017 registered for the offences
punishable under Sections 147, 148, 149, 323, 337, 338, 307, 435,
153(A) and 295(A) of the Indian Penal Code.

The informant happens to be the SHO of Jamui police
station. He has alleged that on 30.09.2017 the petitioners in a mob
of about 300 people obstructed a religious procession and tried to
disturb the communal harmony among the local people. The
informant along with police party intervened to pacify the matter
whereupon the accused persons started pelting stones and also
caused injury to the police personnel.

The learned counsel for the petitioners submits that for



the alleged occurrence three cases were registered. Two cases were registered by the members of two different communities and third by the police. The allegation of assault and pelting stones on police party is omnibus. In the said occurrence, none of the police persons sustained any injury and so no offence under section 307 of the IPC is made out.

The learned counsel for the petitioners further submits that co-accused Ankit Kumar and Anshu Kumar Keshari have been allowed bail in Cr. Misc. No.56950 of 2017 by this Court on 12.12.2017. It has been submitted that the case of the petitioners stands on similar footing and they are in custody since 03.10.2017.

The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer of bail is allowed. The petitioners, named above, are directed to be released on bail on furnishing bail bonds of Rs.10,000/-(ten thousand) each with two sureties of like amount each to the satisfaction of the learned Chief Judicial Magistrate, Jamui in connection with Jamui P.S. Case No.322 of 2017, subject to the condition that one of the bailors should be close family members of the petitioners.

(Sanjay Kumar, J)

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