

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17032 of 2017

Arising Out of PS.Case No. -370 Year- 2015 Thana -FORBESGANJ District- ARRARIA

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1. Ramesh Mehta, S/o Ram Prasad Mehta, resident of Village- Rampur Basgada, P.S.- Forbesganj, District- Araria.
 2. Pradeep Priya @ Pradeep Mehta @ Pradeep, S/o Late Kapil Deo Mehta, Both resident of Village- Siraiya P.S.- Forbesganj, District- Araria.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Anil Prasad Singh

For the Opposite Party/s : Mr. Madan Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 09-05-2017 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Forbesganj (Simraha) P.S. Case no. 370 of 2015, registered under Sections 147, 148, 149, 341, 342, 323, 325, 337, 338, 307, 353, 504, 120-B and 506 of the Indian Penal Code besides Section 27 of the Arms Act.

The accusation is that near Posiya village at Railway Ply over of N.H.57, the mob stopped the Chitpur-Jogbani Express. Thereafter, the informant being the Circle Officer, Forbesganj alongwith other Police officials reached there, where the mob started pelting stones in which several persons sustained injuries. At that time, two persons were apprehended, who disclosed their name as Subodh Rishideo and Kishore Kumar Mehta @ Sheonarayan Mehta, and all



were raising slogan to close Simraha Meat Factory. The apprehended accused disclosed the name of eight associates out of the mob of 400 persons.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that the name of the petitioners have not been disclosed by the persons, who were apprehended on the spot, rather the names of the petitioners have surfaced, in course of investigation, on mere suspicion. Further submission is that similarly situated co-accused Pradeep Mehta @ Pradeep Kumar Mehta and eight others, whose names had also come in course of investigation, have already been allowed anticipatory bail on 28.03.2017 passed in Criminal Miscellaneous No. 5907 of 2017.

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 Chief Judicial Magistrate, Araria in connection with Forbesganj P.S. Case No. 370 of 2015, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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