

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60160 of 2017

Arising Out of PS. Case No.-197 Year-2017 Thana- ARWAL District- Jehanabad

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1. Rahul Kumar, Son of Dina Nath Sharma, R/o Village- Motha, Post Bhadashi, P.S.- Arwal, District- Arwal.
 2. Suraj Kumar, S/o Madan Mohan Singh, R/o Village- Umairabad, Post- Baidrabad, P.S.+ District- Arwal.
 3. Subodh Kumar, S/o Ram Lakhan Singh, R/o Village- Umairabad, Post Baidrabad, P.S.+ District- Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar, Adv.

For the Opposite Party/s : Mr. J. N. Thakur, Adv.

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-12-2017 Heard learned Counsels for the petitioners and learned
APP for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147/148/149/295A/153A/504/506/427/448/379/336 of the Indian Penal Code.

Prosecution case is that on 01.10.2017 at 8 PM some members of Hindu community gathered, being armed with deadly weapons, and after raising provocative slogans, they entered into the house of Alimuddin Ansari forcefully and tore the Quran *Sharif*, pelted bricks and asked the victim to flee away to Pakistan. The accused persons also smashed the vehicle parked nearby the area and stole the show-case of the biscuit



factory. It is further alleged that the mob also tried to break the door of Nasim Idrish, but the accused person escaped from the scene on arrival of the police.

It is submitted by learned counsel for the petitioner that the accusation is omnibus and general. Admittedly, no injury has been caused. The petitioner has never been accused in any other case except the present case and the two other cases being Arwal P.S. Case No. 198/2017 and Arwal P.S. Case No.199 of 2017, which has been lodged on the same day for the same incident.

Considering the omnibus and general nature of accusation against the mob when none have received any injuries, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 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 learned CJM, Arwal in connection with Arwal P.S. Case No. 197/2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

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