

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55082 of 2017

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

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1. Baljit Singh,
2. Munmun Singh, both Sons of Shivnath Singh,
3. Dina Yadav, Son of Sri Niwas Singh, All R/o Ward No.13, Nokha, P.S.-
Nokha , District- Rohtas.
4. Umesh Kumar Singh S/o Rameshwar Singh, R/o Village- Muswat
Mishrawaliya, P.S.- Natwar, District- Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Ataur Rahman

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 27-11-2017 Heard learned counsel for the petitioners and

learned APP for the State.

Petitioners are languishing in custody since
03.10.2017 in connection with Nokha P.S. Case No. 299 of
2017 for offences punishable under Section 307 and other
allied Sections of the Indian Penal Code.

The prosecution case, as lodged by the police
personnel, is that during emersion of Goddess Durga two
communities clashed with each other and about 500-700
persons resorted to pelting stones, lighting fire and demolition
of shops. They assembled in large number near the police



station and in spite of stern steps taken by the police as many as 92 persons named in the First Information Report including the petitioners have caused damage to the public and private property.

It has been submitted by the learned counsel for the petitioners that they are innocent, bear no criminal antecedent and it was a mob attack, while petitioner nos. 1 and 2 have a bicycle repair shop, petitioner no. 3 has a Kirana shop and petitioner no. 4 has his sasural at that place. He submits that general and omnibus allegations have been levelled against them and there is no injury report to suggest injury, as such, Section 307 of the IPC is not applicable. He further submits that one of the co-accused has been granted privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 55514 of 2017 on 20.11.2017.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioners, above named, be enlarged on bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the



satisfaction of learned A.C.J.M., Rohtas at Sasaram, in
connection with Nokha P.S. Case No. 299/2017.

(Nilu Agrawal, J)

Rajesh/-

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