

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4667 of 2017

Arising Out of PS.Case No. -288 Year- 2016 Thana -AURANGABAD TOWN District-
AURANGABAD

- =====
1. Deepak Singh @ Deepak Kumar Singh, Son of Laxmi Singh, Resident of Mohalla- Shahpur, P.S. Aurangabad, District- Aurangabad.
 2. Ravi Kumar, Son of Amresh Giri, Resident of Mohalla- Yamuna Nagar, P.S. Aurangabad (T), District- Aurangabad.
 3. Dinesh Yadav, Son of, Resident of Village- Pipardih, P.S. Aurangabad (Town), District- Aurangabad.
 4. Puran Giri Son of Anup Giri, Resident of Mohalla- Yamuna Nagar, P.S. Aurangabad (Town), District- Aurangabad.
 5. Mantu Kumar, Son of Manik Chand, Resident of Mohalla- Shaheed, P.S. Aurangabad (Town), District- Aurangabad.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioners : Mr. Shailesh Kumar Singh, Advocate
For the Opposite Party : Mr. Akshay Lal Pandit (APP)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 20-02-2017 Heard learned counsel for the petitioners and learned
counsel representing the State.

The petitioners apprehend their arrest in connection
with Aurangabad (Town) P.S. Case No. 3288 of 2016, registered
for the offences punishable under Sections 147, 148, 149, 341,
353, 337, 427, 283 and 342 of the Indian Penal Code.

Allegedly, due to murder of Kamal Kant Choubey
50-60 persons have blocked the G.T. Road near Kawan Bigha
more and then the informant and other officials along with police



personnel went there and tried to pacify the matter and persuade the public to unblock the road, but Nitish Kumar was leading the mob and started pelting the stones upon glass of truck and breaking glass of motor car, they also pelted stones upon the police force, resulting, police vehicles were damaged thereafter S.D.O. and S.D.P.O. came there and tried to pacify the matter, but the mob was adamant.

Submission is of false implication and that the petitioners belong to different muhalla and village of the Aurangabad district, they have no concern with regard to Kamal Kant Choubey who was murdered. The petitioners are not attached with any political party and there is no specific allegation against them, they have been made accused only as the member of mob. The petitioners were not present at that time but they have been named without any basis.

The learned A.P.P. opposes the prayer of pre-arrest bail but fairly submits that the petitioners were the member of the mob.

In the facts and circumstances as stated above, considering that there is no specific allegation against the petitioners and, as such, the petitioners in the event of their arrest or surrender within four weeks from the date of receipt/production



of a copy of this order shall be released 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 Chief Judicial Magistrate, Aurangabad, in connection with Aurangabad Town P.S. Case No. 288 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

Rajiv/-

U		T	
---	--	---	--

