

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5907 of 2017

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

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1. Pradeep Mehta @ Pradeep Kumar Mehta, son of Kamleshwari Mehta, resident of village - Rampur Basgara, P.S. - Forbesganj, District – Araria.
 2. Ram Kishun Mandal, son of Teso Mandal.
 3. Ramjee Mandal, son of Late Ajit Mandal.
 4. Dayanand Paswan, son of Thakur Paswan.
 5. Bidyanand Rishideo @ Bidyanand Paswan, son of Late Sitaram Rishideo.
 6. Ghanshyam Mehta, son of Late Nanram Mehta @ Nand Mehta.
 7. Mintu Mehta, son of Sadanand Mehta.
All resident of village Kurwa Lakshmipur, P.S.- Simraha, District – Araria.
 8. Diwakar Kumar @ Jhabbu Mandal @ Jhabbu, son of Dinesh Biswas, resident of village Shankarpur (Aurahi - Hingana), P.S. - Simraha, District - Araria.
 9. Dilip Patel @ Bilip Patel, son of Anirudh Pd. Mandal, resident of village- - Simraha, P.S. - Simraha, District – Araria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 28-03-2017 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 alias 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 appearing on behalf of the petitioners 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. The petitioners have no criminal antecedent. Further submission is that the co-accused Chhote Lal Hansda alias Collegiya, Ramdeo Risideo, Bindeshwari Risideo and Marang Murmu, whose name were disclosed by the apprehended accused, have already been granted anticipatory bail by a Bench of this Court vide order dated 10.11.2015 passed in Criminal Misc. No.51862 of 2015.



Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Araria, in connection with Forbesganj (Simraha) P.S. Case No.370 of 2015, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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