

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16413 of 2017

Arising Out of PS.Case No. -21 Year- 2017 Thana -AMBA District- AURANGABAD

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1. Amit Kumar, Son of Mahadeo Ram.
 2. Sujit Kumar, Son of Mahadeo Ram.
 3. Laxman @ Laxman Ram @ Laxman Ravidas, Son of Late Ramdeo Ram.
 4. Deodutt Ram, Son of Laxman Ram.
 5. Atish @ Satish Kumar @ Atish Kumar, Son of Laxman Ram.
 6. Janakraj Devi, Wife of Mahadeo Ram.
 7. Kalawati Devi, Wife of Arjun Ram.
 8. Mahadeo Ram, Son of Late Ramdeo Ram. Petitioner no.1 to 8 resident of Village Erka Bigaha, P.S. Amba, District- Aurangabad.
 9. Sriram Son of Late Paranpat Ram.
 10. Ram Prasad @ Prasad Ram @ Ram Prasad Ram, Son of Late Parampat Ram.
 11. Arbind Kumar, son of Sudama Ram.
 12. Amit Kumar, Son of Balindra Ram.
 13. Bhola Kumar Son of Sheoram, Petitioner No. 9 to 13, resident of Village- Erka, P.S. Kutumba, District- Aurangabad.
 14. Sunil Ram, son of Nageshwar Ram.
 15. Ajay Ram, son of Nageshwar Ram. Petitioner No. 14 to 15 resident of Village- Amba P.S. Amba, District- Aurangabad.

.... Petitioners

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arun Kumar, Advocate

For the Opposite Party/s : Mr. Mithilesh Kumar Khare, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-04-2017 At the very outset, learned counsel for the petitioners submits that petitioner No.15, Ajay Ram, has been arrested during the pendency of this application and, as such, he may be permitted to withdraw this anticipatory bail application with respect to petitioner Ajay Ram.

In view of above, this application with respect to



petitioner Ajay Ram is dismissed as being infructuous.

Heard learned counsel for the petitioners.

The petitioners are apprehending their arrest in connection with Amba P.S. Case No. 21 of 2017 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 325, 307, 332, 333, 337, 338, 353, 379, 427, 504 of the Indian Penal Code and 27 of the Arms Act as well as 3/4 of Damage to Public Property Act.

It has been submitted on behalf of the petitioners that FIR was lodged in connection with jam created by the petitioners and other accused persons protesting for an accident in which petitioners and around 400 peoples were made accused in this case and there is general and omnibus allegation against all.

Heard learned APP also, who has opposed the prayer for anticipatory bail stating that petitioners were named in FIR and there is allegation that petitioner No.4 was leading mob and mob had damaged the Government properties and vehicles.

Having heard both sides and in view of the facts and circumstances of the case, prayer for anticipatory bail of petitioners Nos. 1 to 5, who are named in the FIR, is rejected. Let them surrender and pray for regular bail, which shall be considered on its own merit, without being prejudiced by this order.



So far prayer for anticipatory bail of petitioners Nos. 6 & 7, who are ladies, and petitioners Nos. 8 to 14, who are not named in the FIR, is allowed. Let the aforesaid, in the event of their arrest or surrender in the court within a period of two weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Aurangabad, in connection with Amba P.S. Case No. 21 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further conditions that petitioners shall co-operate in the investigation and make themselves available before the police as and when required and in the event of failure on their part to appear before the police on two consecutive dates, the prosecution shall be free to move for cancellation of their bail bonds and further petitioners will not induce any witness or tamper with the evidence.

(Vinod Kumar Sinha, J)

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