

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35132 of 2018

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1. Yogi Sahani, Son of Bhado Sahani, resident of Village- Kothiya, P.S.- Madhuban, District- East Champaran.
 2. Mithlesh Kumar @ Mithilesh Kumar, Son of Tarachandra Prasad Gupta, resident of Village- Tetariya, P.S.- Rajepur, District- East Champaran.
 3. Suresh Sahani, Son of Ramchandra Sahani.
 4. Jitendra Sahani, Son of Ramchandra Sahani. Both Residents of Village- Gheghwa, P.S.- Madhuban, District- East Champaran.
 5. Rahul Jha @ Sumit Kumar, Son of Manoj Kumar Jha,
 6. Nand Kishore Paswan, Son of Naresh Paswan, All residents of Village- Tetariya, P.S.- Rajepur, District- East Champaran.
 7. Manoj Kumar, Son of Late Hiralal Sah.
 8. Dharmendra Kumar Yadav, Son of Laxmi Narayan Yadav.
 9. Sheo Shankar Sah @ Sheo Shankar Prasad, Son of Late Jiyalal Sah,
 10. Kundan Chaurasiya @ Kundan Kumar, Son of Late Kripa Narayan Prasad Chaurasiya.
 11. Ravi Kumar Chaurasiya, Son of Awadhesh Narayan Chaurasiya @ Avdhesh Na Prasad.
 12. Ram Narayan Sah @ Satya Narayan Sah, Son of Late Shankar Sah.
 13. Sonu Jha @ Sonu Kumar Jha, Son of Anjani Jha,
 14. Ramashankar Sah @ Ramashish Sah Son of Kishori Sah,
 15. Ratnesh Kumar, Son of Tarachandra Prasad Gupta, All residents of Village- Tetariya, P.S.- Rajepur, District- East Champaran.
 16. Rajesh Kumar, Son of Shyam Kishore Gupta, resident of Village- Raghunathpur, P.S.- Mushari, District- East Champaran.

.... Petitioner/s

Versus

1. 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 PRABHAT KUMAR JHA

ORAL ORDER

2 03-07-2018

Heard both sides.

The petitioners apprehend their arrest in Rajepur P.S.

Case No.86 of 2016 registered under Sections 143, 144, 145, 147, 148, 149, 151, 152, 153A, 160, 295, 295A, 297, 298, 395, 341,



323, 504, 342, 506 of the Indian Penal Code.

The informant alleged that on 26.07.2016, about 300-350 persons assembled near the shop of the informant and the mob were raising slogans against Muslim community. The informant further alleged that the mob looted his shop. The informant identified Pappu Chaurasiya, Sanjay Chaurasiya, Anil Gupta, Shambhu Chaurasiya and Shambhu Patel who were looted the shop of the informant.

The learned counsel for the petitioners submits that the petitioners are not named in the F.I.R. Name of the petitioners figured in the case in the supervision note of Dy. S.P. but no witness disclosed the name of the petitioners. Similarly situated other accused persons have already been granted anticipatory bail vide order passed in Cr. Misc. No.16273 of 2018 by a co-ordinate Bench.

Considering the facts aforesaid and the fact that the petitioners are not named in the F.I.R. and similarly situated accused persons have already been granted anticipatory bail, the petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order are directed to be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten



thousand) each with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sadar, East Champaran, Motihari in connection with Rajepur P.S. Case No.86 of 2016, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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