

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39973 of 2018

Arising Out of PS.Case No. -97 Year- 2018 Thana -BARUN District- AURANGABAD

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1. Mokhtar Khan @ Md. Mokhtar Khan, Son of Late Reyasat Khan, Resident of Barun Bazar, P.S.- Barun, District- Aurangabad.
 2. Nezamuddin Faruquee @ Md Nezamuddin Faruquee, Son of Kalamuddin Faruquee, Resident of Barun Khemda, P.S.- Barun, District- Aurangabad.
 3. Wakil Faruque @ Md. Wakil Faruquee, Son of Late Noor Hassan Faruquee, Resident of Mohalla- Barun Bazar, P.S.- Barun, District- Aurangabad.
 4. Salamuddin Faruquee @ Md. Salamuddin Faruquee, Son of Kalamuddin Faruquee, Resident of Barun Khemda, P.S.- Barun, District- Aurangabad.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Adv.
For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

2 11-07-2018 Heard both sides.

The petitioners apprehend their arrest in Barun P.S. Case No. 97/2018, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 332, 333, 353, 395, 436, 504, 120B of the Indian Penal Code and section 3 and 4 of the Prevention of Damage to Public Property Act.



The Officer Incharge of Barun P.S. alleged that in a motor accident one person was badly injured on Barun Nabinagar road. The informant and other police officials went there and found a boy lying unconscious in injured condition. The boy was identified, as Gautam Kumar who was knocked down by some unknown vehicle, but the boy succumbed to the injuries. Strong mob of more than 200 persons assembled and ransacked the police station.

Learned counsel for the petitioners submits that petitioners named at sl. No. 78, 80, 71 and 81 of the accused column, but no specific allegation is made. In fact, the petitioners did not participate in the mob. The family members and villagers of the deceased boy namely, Gautam Kumar were raising alarm against the police force. Similarly, situated co-accused Chandan Chaudhary and many others have been granted anticipatory bail as well as regular bail by different benches of this Court.

Considering the facts aforesaid and nature allegation made against the petitioners and the fact that most of the accused persons granted bail, the petitioners above-named, in the event of their arrest or surrender before the 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 Chief Judicial Magistrate, Aurangabad in connection with Barun P.S. Case No. 97/2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J)

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