

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61895 of 2018

Arising Out of PS. Case No.-174 Year-2018 Thana- MAIRWAN District- Siwan

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1. Rajaram Chauhan, S/o Adalat Chauhan,
 2. Santosh Chauhan, S/o Late Lal Bahadur Chauhan,
 3. Subhash Chauhan @ Subhash Gond, @ Subash Chauhan, S/o
Late Shiv Gond, All R/o Village- Nawka Tola, P.S. Mairwa,
District- Siwan. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey
For the Opposite Party/s : Smt. Renu Kumari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-12-2018 Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 307, 452, 332, 333 and 427 of the IPC.

The prosecution case, as per the self statement Shailendra Kumar Singh, S.I., Mairwa P.S., is to the effect that on 15.05.2018 at about 08.00 P.M., 350-400 people entered into Mairwa Police Station premises to get released a person namely Dipu Chauhan, who was arrested under Bihar Prohibition and Excise Act, 2016. When the informant tried to pacify the matter, in the meantime, out of the mob 08-10 persons started abusing the informant and pelted stones and also damaged the public property. Hence, FIR has been lodged against 40 named and 350



unknown accused persons, including the petitioners.

It is submitted by the learned counsel for the petitioners that the accusation is against the mob and is omnibus and general in nature and it is further submitted that similarly situated co-accused persons have been granted privilege of anticipatory bail by a co-ordinate Bench of this Court vide Cr. Misc. Nos. 62992 of 2018 and 52909 of 2018. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by the learned APP that the petitioners are named in the FIR.

Considering the fact that accusation against the petitioner is omnibus and general in nature and similarly situated co-accused persons have been granted privilege of anticipatory bail by a co-ordinate Bench of this Court coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned **A.C.J.M.-VII, Siwan** in



connection with **Mairwa P.S. Case No. 174 of 2018** subject to
the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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