

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5379 of 2018

Arising Out of PS.Case No. -11 Year- 2017 Thana -PIPRA District- EAST CHAMPARAN
(MOTIHARI)

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1. Sikandar Ray, S/o Hakim Ray, R/o village- Chakaniya, P.S.- Pipra,
District- East Champaran.

2. Ramu Sah S/o Yado Lal Sah, R/o Village- Bairiya Banjariya, P.S.- Pipra,
District- East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri S.M. Rahman

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 09-02-2018

Heard both sides.

The petitioners apprehend their arrest in Pipra P.S.
case No. 11 of 2017 under Section 323, 307 and other Sections of
the Indian Penal Code.

The officer-in-charge of Pipra P.S. alleged that on
the death of Raj Kumar Thakur @ Tuntun Thakur in a motor
accident, Anil Singh gathered a mob and raised slogan against
police officials. They put the dead body in front of police station
and started pelting stones.

The learned counsel for the petitioners submits that
prayer for anticipatory bail of Anil Singh has already been rejected



but the petitioners are only members of mob and similarly situated accused Nepali Thakur and five others and Dharmendra Mahto & Ors have been granted anticipatory bail by this court vide orders passed in Cr. Misc. No. 34360 of 2017 and 60856 of 2017. The case of petitioners stands on same footing.

Considering the facts that of course petitioners are named in the FIR but no specific allegation of assault is made against them 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) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, Motihari in connection with Pipra P.S. case No. 11 of 2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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