

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12240 of 2018

Arising Out of PS. Case No.-254 Year-2017 Thana- BHAGALPUR GRP CASE District-
Bhagalpur

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1. TIRUPATI NATH @ TIRUPATI NATH YADAV, District President of Ratriya Janta Dal, S/o Upendra Prasad Yadav, R/o Mohalla- Sahebganj, P.S.- University, District- Bhagalpur.
 2. Md. Chand, RJD Leadar, S/o Late Mohammad Abdul Mobin , R/o Mohalla- Habibpur, P.S.- Habibpur, District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Yadav, Adv.

For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 27-02-2018 Heard learned Counsels for the petitioners and learned
APP for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 149, 353 of the Indian Penal Code and Sections 146, 147, 174A of the Railways Act.

The prosecution case got initiated on the basis of self statement of Sub-Inspector of Police, Sudhir Kumar Singh, to the effect that four FIR named accused persons and 50 unknown stopped the train on 21.12.2017 at 7.00 P.M. at Bhagalpur Railway Station on the eve of 'Band' called by a political party. They also obstructed the police force in discharging their official duties.



It is submitted by learned counsel for the petitioners that the accusation is omnibus and general against the mob. The petitioners have never been accused in similar nature of offence. A statement has been made in paragraph no.3 of the petition that petitioner no.1 is not having any criminal antecedent, whereas, petitioner no.2 is accused in another case apart from the present case, wherein, he is on bail.

It is submitted by Mr. J. N. Thakur, learned APP for the State the petitioners are also member of the mob.

Considering the accusation against the mob, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM, Railway, Bhagalpur in connection with Bhagalpur GRP Case No.254 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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