

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9300 of 2018

Arising Out of PS.Case No. -523 Year- 2017 Thana -NAWADA District- NAWADA

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1. Surya Bhusan Kumar, Son of Yadunandan Prasad, resident of Village- Sanokhara, P.S.- Akbarpur, District- Nawada.
 2. Pankaj Kumar, Son of Ravindra Sharma, resident of Village- Bhadauni, P.S.- Nawada, District- Nawada.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Mr. Sri Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 17-02-2018 Heard learned counsel for the petitioners and learned
counsel for the State.

The petitioners seek pre-arrest bail in connection with Nawada Town P.S.Case No. 523 of 2017 registered under Sections 147, 148, 149, 283 and 353 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioners that save and except the allegation that the petitioners along with 100 others were protesting against inaction of local administration in sending fire brigade vehicle for quenching fire which had broken out in the shop, there is no other allegation made in the FIR. It is further submitted that no damage of any public property was caused or no injury was caused to any public



servant in the protest made by the petitioners and others. It is also submitted that the petitioners have got no criminal antecedent and being students they had peacefully protested against the local administration, which do not attract ingredients of any offence alleged.

Learned counsel for the State opposed the application for grant of pre-arrest bail of the petitioners. He submitted that the petitioners and others had caused obstruction to the police in discharge of their official duty on the fateful day.

Considering the nature of allegation and the submissions made above, in the event of arrest or surrender before the court below within four weeks from today, the petitioners are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nawada in connection with Nawada Town P.S. Case No. 523 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

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