

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.61138 of 2017

Arising Out of PS.Case No. -198 Year- 2017 Thana -ARWAL District- JEHANABAD

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1. Rahul Kumar, Son of Dina Nath Sharma, Resident of Village- Motha, Post- Bhadashi, Police Station- Arwal, District- Arwal.
 2. Suraj Kumar, Son of Madan Mohan Singh, Resident of Village- Umairabad, Post- Baidrabad, Police Station+District- Arwal.
 3. Subodh Kumar, Son of Ram Lakhan Singh, Resident of Village- Umairabad, Post- Baidrabad, Police Station+District- Arwal.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amit Kumar

For the Opposite Party/s : Mr. Md. Nazir Ansari

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 16-01-2018 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Arwal P.S. Case No. 198 of 2017 registered for the offence punishable under Sections 147, 148, 149, 341, 323, 120(B), 504, 153(A) and 427 of the Indian Penal Code.

The allegation in the F.I.R. is that the members of two communities were creating a communal frenzy and rioting resulting in obstruction in maintaining peace.

The learned counsel for the petitioners submits that as many as 27 persons have been made accused in the present case



and there is general and omnibus allegation as far as the petitioners herein are concerned. It is further submitted that the petitioners have been falsely implicated in the present case. It is also the contention of the learned counsel for the petitioners that barring Section 153(A) of the Indian Penal Code, all other sections levelled in the present F.I.R. are bailable and as far as Section 427 is concerned, no such offence is made out.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, on anticipatory 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 learned C.J.M, Arwal in connection with Arwal P.S. Case No. 198 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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