

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39761 of 2018

Arising Out of PS. Case No.-39 Year-2018 Thana- KHAIRA District- Saran

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1. Dharmendra Yadav, S/o Bipat Rai,
 2. Binod Yadav @ Binod Rai S/o Bhuneshwar Ray @ Bhunar Ray,
Both R/o Vill.- Kadipur Bangar , P.S.- Khaira (Nagra O.P.),
District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bishwajeet Singh
For the Opposite Party/s : Mr. J.N. Thakur

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-07-2018 Heard learned counsels for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 353, 188, 427 and 504 of the IPC.

The prosecution case as per the written report of Rakesh Kumar Rai, SHO, Nagra OP dated 23.02.2018 submitted to the learned ACJM-X, Saran at Chapra is to the effect that on 23.02.2018 the informant was on examination duty at Government Middle School, Umdha. At 11:05 A.M, an information was received by the informant that in the course of panchayati, fight has ensued between two groups of Kadipur Bangla. The informant reached at the spot and found that people have blocked the Chapra-Mashrakh



highway by burning tyre and thereby, created incommunicado. The FIR was lodged against 28 accused persons.

It is submitted by learned counsel for the petitioners that the accusation is omnibus and general and only on suspicion the petitioners have been named in the FIR. It is further submitted that other similarly situated co-accused have been granted anticipatory bail by a bench of this Court vide Cr.Misc. No.29095 of 2018. Statement has been made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners are named in the FIR.

Considering the fact that the accusation is against the mob and similarly situated co-accused have been granted anticipatory bail vide Cr. Misc. No. 29095 of 2018, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks 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 A.C.J.M-Xth, Saran in connection with Khaira (Nagra) P.S. Case No. 39 of 2018 subject to the



conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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