

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.43337 of 2018

Arising Out of PS. Case No.-258 Year-2017 Thana- PIRO District- Bhojpur

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1. Nutan Chaurasia, son of Ratan Prasad Chaurasiya, resident of village- Gandhi Chowk, P.S.- Piro, District- Bhojpur.
 2. Raja, son of Surendra Prasad, resident of village- Gola Mohalla, P.S.-Piro, District- Bhojpur.
 3. Surendra Sharma Togadia @ Surendra Chaurasia, son of late Raghubansh Sharma, resident of village- Ojhwalia More, P.S.- Piro, District- Bhojpur.
 4. Kallu @ Rahul Kumar, son of Banarsi Prasad, resident of village- Padaw Maidan, P.S.- Piro, District- Bhojpur.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar, Advocate
For the Opposite Party/s : Mr. Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 20-07-2018 Heard learned counsel for the petitioners and learned counsel for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Piro P.S. Case No.258 of 2017, registered for the offence punishable under Sections 147, 148, 149, 120B, 295A, 153A, 188, 353, 307, 323, 341, 504, 506, 379, 436 and 427 of the Indian Penal Code and under Section 27 of the Arms Act.

As per the F.I.R. on 01.10.2017, member of a



particular community were passing through the procession with deadly weapons. The administration has given permit upto a particular place, but the procession has gone near “Pitan Devi temple” and group of persons created vandalism there. On that account, the people of the other community assembled there. The Police party tried to separate both the community, but they started pelting stones. A large number of persons have been made accused in this case, but no specific allegation has been made against these petitioners.

Considering the entire facts and circumstance of the case, let the above-named petitioners, be released on anticipatory bail in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-I, Bhojpur, Ara, in connection with Piro P.S. Case no.258 of 2017, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure. Further condition is that whenever the police will call the petitioners for the purposes of investigation and interrogation, they will remain present for the investigation. In the event of being absent on two consecutive



dates without reasonable explanation, the present order will be treated to have been cancelled. This is also subject to the condition that if the petitioners would be found involved in similar type of action in future, the prosecution will be at liberty to make prayer for cancellation of bail of the petitioners.

(Shivaji Pandey, J)

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