

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52053 of 2018

Arising Out of PS. Case No.-249 Year-2017 Thana- DORIGANJ District- Saran

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1. Bishwanath Rai, S/o Gauri Shankar Rai,
 2. Nagendra Rai S/o Udit Rai,
 3. Satyendra Rai S/o Udit Rai,
 4. Parmatma Rai S/o Mahendra Rai, All are R/o vill.- Balwan Tola,
P.S.- Doriganj, District- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachida Nand Rai
For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-10-2018 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 147, 148, 149, 188, 341, 383, 352, 332, 333, 307 and 120(B) of the Indian Penal Code.

The prosecution case, in short, is that accused persons including the petitioners assaulted on the police party when they were discharging the duties.

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been made accused due to mistake of fact. Altogether 156 persons have been named in the



F.I.R. along with 100 unknown persons. The petitioners have also been named in the F.I.R. The allegation is that the accused persons including the petitioners had protested on the seizure of illegal mining. No specific overt act has been alleged against the petitioners. No specific injury is attributed against the petitioners. Other co-accused has been granted anticipatory bail vide order dated 11.4.2018 passed in Cr. Misc. No. 20185 of 2018.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R./complaint case.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. VII, Saran at Chapra in connection with Doriganj P.S. Case No. 249 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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