

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.66014 of 2018

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

1. Rambaboo Gupta son of Late Ram Presh Gupta
2. Sunil Sah, son of Late Radha Sah, both resident of village Mithai Gali,
Piro, Ward no.10, P.S. Piro, District Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Ranjan Pd. Singh

For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 31-10-2018 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, 120(B), 295(A), 153(A), 188, 353, 307, 323, 341, 504, 379, 436, 427/34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case, in short, is that on the basis of self statement of Jai Prakash, Police Inspector-cum-S.H.O., Piro Police Station, this case has been registered with an allegation that near the Pitani Devi temple, on the eve of Moharram procession on 01.10.2017, stones were pelted from both communities. Shops were robbed and firing was made. The building of temple was also damaged. The F.I.R. was lodged



against 62 known persons and 500-600 unknown persons.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been made accused due to mistake of fact. There is no substantive evidence to suggest the implication of the petitioners in the present case. The petitioners are not named in the F.I.R. Their name has come in course of investigation. Altogether 62 persons have been named in the F.I.R. along with 500 unknown persons. Other co-accused have been granted anticipatory bail vide Annexure 2 to the present application.

On behalf of the State, it is submitted that the petitioners are not named in the complaint case/F.I.R.

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) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Bhojpur at Ara in connection with Piro P.S. case No.258 of 2017, subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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