

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.65313 of 2018

Arising Out of PS. Case No.-304 Year-2017 Thana- KHAIRA District- Jamui

-
1. Roushan Mishra, Son of Dilip Mishra,
2. Janu Mishra, Son of Pramod Mishra,
Both resident of Village Mishra Tola, Khaira, P.S.- Khaira,
District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Adv.
For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 13-12-2018 Heard learned Counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 120B, 147, 153A, 188, 295, 353, 384 and 435 of the Indian Penal Code.

The prosecution case got initiated on the self-statement of Daljeet Jha, S.I.-cum-S.H.O., Khaira Police Station to the effect on 06.10.2017, in the protest of arrest of accused, Dharma Mishra in connection with Khaira P.S. Case No. 301 of 2017, on the eve of Moharram and Dussehara, more than 100 people constituted a mob, raised slogans in order to disrupt the harmony between two communities. The mob also tried to get the market closed and further blocked the road.

It is submitted by learned counsel for the petitioners that



the accusation is against the mob and the accusation against the petitioner is only on the basis of suspicion. It is further submitted that similarly situated accused have been granted anticipatory bail by a co-ordinate Bench of this Court, vide Criminal Miscellaneous Nos.563/2018 and 3191 of 2018. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by learned APP for the State that the petitioners are named in the FIR.

Considering the accusation against the mob, coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, 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 CJM, Jamui, in connection with Khaira P.S. Case No.304 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

U		T	
---	--	---	--

