

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2372 of 2018

Arising Out of PS.Case No. -75 Year- 2016 Thana -RAJPUR District-
EASTCHAMPARAN(MOTIHARI)

- =====
1. Manoj Kumar, son of Krishna Sah
 2. Nawal Kishore, son of Kashi Sah
 3. Kamal Kishore, son of Kashi Sah
 4. Shambhu Prasad Chaurasiya, son of late Banaras Bhagat
 5. Shivjee Sah, son of late Ramcharitra Sah
 6. Ramashankar Sah, son of Kishori Sah
 7. Jitendra Kumar, son of Ramnath Sah
 8. Ravindra Kumar, son of late Maujelal Sah
 9. Nawal Paswan, son of late Naga Paswan
 10. Manish Kumar, son of Lalbabu Sah
 11. Rajkumar Sah, son of late Vishwanath Sah
 12. Jitendra Kumar, son of Achchelal Sah
 13. Harendra Ram, son of late Vishnudeo Ram
 14. Rajkumar Sah, son of late Kashi Sah
 15. Sanjit Kumar, son of late Ramashish Sah
 16. Suman Kumar, son of Madan Sah
 17. Pramod Kumar, son of Dudhnath Sah
 18. Sri Narayan Sah, son of late Muneshwar Sah
 19. Jay Lal Ram, son of Rajaram Ram
 20. Manoj Kumar Paswan, son of Ramanand Paswan
 21. Shambhu Mahto, son of Yogi Mahto
 22. Pradeep Sah @ Pradeep Kumar, son of Kishori Sah
 23. Ranjit Kumar, son of late Ramashish Sah
 24. Ramesh kumar, son of Kishori Sah

All residents of village Tetariya, P.S. Rajepur, Distt. East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar @ Sonu Babu, Advocate.

For the Opposite Party/s : Mr. Nand Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 16-01-2018

Heard learned counsel for the petitioners and the

State.

The petitioners apprehend their arrest in **Rajepur P.S.**

Case No. 75 of 2016 instituted for the offence under Sections 143,



427, 353 of the Indian Penal Code and Sections 3/4 of Prevention of Damages to Public Property Act, 1984.

It is alleged that about 150 persons along with persons as named in the written report damaged chair, table, window etc. and other government property.

Learned counsel for the petitioners has submitted that they are not named in the written report. Their names have come during investigation in the written report. It has been submitted that other co-accused persons have been granted anticipatory bail by a coordinate Bench of this Court vide order dated 18.10.2017 passed in Cr. Misc. 46286 of 2017. It has further been submitted that for the same occurrence, nine cases have also been registered against these petitioners.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with **Rajepur P.S. Case No. 75 of 2016**, they shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of **learned Sub Divisional Judicial Magistrate, Sadar, East Champaran, Motihari**, subject to the conditions as laid down under Section



438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be liable to cancel their bail bond and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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