IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9784 of 2018

Arising Out of PS. Case No.-299 Year-2017 Thana- NOKHA District- Rohtas

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1. Ashish Kumar Chaurasiya @ Ashish Kumar, S/o Uma Shankar Kumar @ Shukul Chaurasiya , R/o Village/Mohalla- Indrapuri Ward No. 5 Nokha, P.S.- Nokha, District- Rohtas.
2. Umeshi Paswan S/o Deo Paswan @ Deu Ram, R/o Village- Nokha Ward No. 11, P.S.- Nokha, District- Rohtas.
3. Deepak Kumar S/o Baldev Sah @ Baldev Prasad, R/o Village- Nokha, Ward No. 11, P.S. Nokha, District- Rohtas.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sandip Singh
For the Opposite Party/s : Mr. SMT. GULNAR BEGAM

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA

ORAL ORDER

2 19-02-2018 Heard learned counsel for the petitioners and learned APP for the State.

Petitioners apprehend their arrest in Nokha P.S. case no. 299 of 2017 instituted for the offence under Section(s) 147, 148, 149, 341, 323, 307, 353, 436, 427, 504, 153A, 295A and 505C of the Indian Penal Code.

In the written report it is alleged that during immersion of idol of goddess Durga altercation has taken place and it is alleged that several persons including these petitioners and other named accused persons and 500 other unknown persons assembled at the place of occurrence. They caused law and order problem and also assaulted the police personnel.

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Learned counsel for the petitioner has submitted that there is general and omnibus allegation against these petitioners. It is further submitted that co-accused persons with similar allegation have already been granted anticipatory bail by this Court as well as Co-ordinate Bench of this Court vide Cr. Misc Nos. 56358 of 2017,Cr. Misc. no. 4007 of 2018, Cr. Misc. no.1770 of 2018 and Cr. Misc. no.61036 of 2017.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Nokha P.S. case no. 299 of 2017, 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 the learned ACJM, Sasaram, Rohtas, 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 absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the

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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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