

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24480 of 2018

Arising Out of PS. Case No.-60 Year-2018 Thana- KUDRA District- Bhabhua (Kaimur)

1. Ramsurat Sharma, S/o Late Rambachan Sharma
2. Vimal Sah, S/o Siri Sah
3. Chandan Singh, S/o Dadan Singh
4. Dharmendra Sharma, S/o Vikas Sharma
5. Rakesh Singh, S/o Late Chandrasen Singh
6. Fulchand Ram, S/o Sriram Ram All are residents of Village - Nateya, P.S. - Kudra, District - Kaimur.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioners : Mr. Rajesh Kumar Mishra, Advocate
For the Opposite Party : Mr. Sri Arbind Kumar Pandey (APP)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

2 26-04-2018 Heard learned counsel for the petitioners and learned counsel representing the State.

The petitioners apprehend their arrest in connection with Kudra P.S. Case No. 60 of 2018, registered for the offences punishable under Sections 147, 148, 149, 341, 504, 506, 353 and 290 of the Indian Penal Code.

Allegedly, when the police party seized two tractors illegally loaded with sand having no registration number then the crowd of 100-150 persons armed with lathi, danda and spear came there which was led by co-accused Arun Singh, Sheo Pujan Singh and they got the seized tractors freed by pelting stones at the police party and created disturbance in the official duty, on inquiry the name



of the petitioners also came to the knowledge of the informant that they were also involved in the said mob.

Submission is of false implication and that against the petitioners there is no specific allegation, simply they were members of the mob. How the names of the petitioners came within the knowledge of the informant has not been disclosed in the F.I.R. and, as such, the petitioners deserve sympathetic consideration having no criminal antecedent.

The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, considering that against the petitioners there is no specific allegation and as such, the petitioners in the event of their arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall be released on 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.-5th, Kaimur at Bhabhua, in connection with Kudra P.S. Case No. 60 of 2018, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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