

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52909 of 2018

Arising Out of PS.Case No. -174 Year- 2018 Thana -MAIRWAN District- SIWAN

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1. Vijay Chauhan
2. Guchan Chauhan
3. Barelal Chauhan all sons of Alagu Chauhan @ Algu Chouhan
4. Sunil Chauhan S/o Ram Sakal Chauhan
5. Amar Chauhan S/o Late Baijnath Chauhan
6. Jagdish Chauhan S/o Late Bharat Chauhan
7. Brij Kishor Chauhan @ Braj Kishri Chauhan S/o Deenanath Chauhan All residents of village - Nawaka Tola, P.S. - Mairwa, District - Siwan.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhakar Singh

For the Opposite Party/s : Smt. Meena Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-10-2018 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, 323, 307, 452, 332, 333, 337, 353, 427 of the Indian Penal Code.

The prosecution case, in brief, is that 350-400 people came to Mairwa police station and attempted to get rescued one person who had been arrested in an Excise Case. Allegedly, brick batting was also taken place as a result of which, ASI and constables sustained injuries.

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. A person was arrested in connection with an offence of Excise Act. It is alleged that the local residents protested the arrest of said person. Altogether 40 persons are named in the FIR. No specific overt act has been attributed against the petitioners. General and omnibus allegation has been made against the petitioners. The injury is said to be simple in nature. No offence u/S 307 of the Indian Penal Code is made out.

On behalf of the State, it is submitted that the petitioners are 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) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VIIth, Siwan in connection with Mairwa P.S. Case No. 174 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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