

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62078 of 2017

Arising Out of PS. Case No.-128 Year-2017 Thana- MUFFASIL District- West Champaran

1. Reiyaj Khan, S/o-Late Muslim Khan,
2. Mobin Khan @ Momin Khan, S/o- Late Nebob Khan,
3. Nabi Ahmad Khan, S/o- Mabi Hassan Khan,
4. Rijwan Miya, S/o- Late Nurul Hoda Miya,
5. Anjar Khan, S/o- Late Eakram Khan, All are R/o Village- Sansaraiya, P.S.- Bettiah Muffasil, District- West Champaran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Uday Kumar Mishra
For the Opposite Party/s : Mr. ANIL KUMAR

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 02-01-2018 Heard learned counsels for the petitioners and State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 447, 448, 353, 153A, 188, 295, 504 and 506 of the IPC.

The prosecution case, as per the written report of Jitendra Prasad, being the Police Inspector cum Officer-In-Charge, Bettiya Mufassil Police Station is to the effect that on 07.04.2017 at 7.30 PM, he received information that on account of dispute of construction work, the people of Hindu and Muslim community are instigating their people against each other, when the informant reached on the place of occurrence, he found that local Circle Officer was trying to pacify the mob,



but the people of both the community were instigating each other to disturb the communal harmony and in such way, the accused persons not only tried to disturb the religious harmony, but also disturbed the public servant to discharge the duty.

It is submitted by learned counsel for the petitioners that the FIR has been lodged against 22 named and 200 unknown persons. The accusation is not specific against the petitioners. Admittedly, no injury was caused to anyone. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent. Moreover, similarly situated accused persons have been granted anticipatory bail by a co-ordinate Bench of this Court vide Cr. Misc. No. 37007 of 2017.

Considering the fact that accusation is not specific against the petitioners and the 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/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran at Bettiah in



connection with Muffasil P.S. Case No. 128 of 2017, subject to
the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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