

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22765 of 2018

Arising Out of PS.Case No. -109 Year- 2017 Thana -ASHOK PAPER MILL District-
DARBHANGA

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1. ABDUL QAIYUM RAZA @ MD. QAIYUM, Son of Ali Raza,
2. Md. Quadir @ Md. Kadir, Son of Md. Habib,
3. Md. Alisher, Son of Mojibul Rahman, All resident of Village- Aknarpur,
P.S.- Ashok Paper Mills (Pator O.P.), District- Darbhanga (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra

For the Opposite Party/s : Mr. Sri Manish Kumar 2

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 26-04-2018 Heard the counsel for the petitioners and counsel for the

State.

In this case the petitioners are seeking pre-arrest bail in
Ashok Paper Mills P.S.Case No.109 of 2017 for the offences
under Sections 147, 148, 149, 341, 323, 332, 290, 353, 427 of
I.P.C. and Section 34 of the Prevention of Damage to Public
Property Act.

Allegation has been made that the police had received an
information that one Kanhaiya Kumar, staff of the North
Kshetriya Gramin Bank, Anandpur, had misbehaved with a minor
girl whereupon villagers put him in their clutches. The Armed
Forces had also tried to pacify the unruly mob. When the
informant tried to get Kanhaiya Kumar seated in the Police vehicle



in order to take him to Police Station the villagers scuffled with the police party and forcefully got Kanhaiya Kumar down from the police vehicle but anyhow he was brought to the police station and the villagers created nuisance, blocked the road and they entered in to the police station and ransacked there and damaged the vehicle.

Counsel for the petitioners submits that names of the petitioners surfaced in this case because they were also in the mob and there is no specific allegation against them.

Looking to the facts of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of Addl.C.J.M,6, Darbhanga, in Ashok Paper Mills P.S. Case No.109 of 2017 subject to the conditions as laid down under section 438(2) of Cr.P.C. and further condition is that whenever the police will call the petitioners, they will present himself for the purpose of investigation, in the event of being absent on two consecutive dates without reasonable explanation, the court below will be at liberty to cancel their bail bonds.

(Shivaji Pandey, J)

AnilKrSinha/-

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