

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31478 of 2018

Arising Out of PS. Case No.-76 Year-2016 Thana- RAJPUR District- East Champaran

1. Manoj Kumar, S/o Late Hiralal Sah,
2. Bhuday Kumar @ Bhodai Kumar @ Pappu Chaurasiya S/o Late Dhruv Narayan Prasad Chaurasiya,
3. Sheo Shankar Sah @ Sheo Shankar Prasad S/o Late Jiyalal Sah,
4. Kundan Chaurasiya @ Kundan Kumar S/o Late Kripa Narayan Prasad Chaurasiya,
5. Ravi Kumar Chaurasiya S/o Awadhesh Narayan Chaurasiya,
6. Mithlesh Kumar @ Mithilesh Kumar S/o Tarachandra Prasad Gupta @ Tarachandra Gupta,
7. Ram Narayn Sah S/o Late Shankar Sah,
8. Sonu Jha @ Sonu Kumar Jha S/o Anjani Jha, All Residents of Vill.- Tetariya, P.S.- Rajepur, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma
For the Opposite Party/s : Mr. Sri Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 24-05-2018 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioners apprehends their arrest in connection with **Rajepur P.S. Case No. 76 of 2016** registered for the offence punishable under Sections 143, 144, 145, 147, 148, 149, 151, 152, 153A, 160, 295, 295A, 297, 298, 395, 341, 323, 504, 342 and 506 of the Indian Penal Code.

Informant in his written report before the Officer-in-charge of Rajepur P.S has alleged that he has a shop of sewing



and cloth at Tetariya Mandir Chowk and on 26.07.2016 at about 12:30, about 500 persons armed with weapons came at the shop calling anti-muslim slogans and looted away the clothes, sewing machine worth Rs. 3 Lacs and damaged Masjid, Madarsa and Idgah.

It has been submitted on behalf of the petitioners that the petitioners have been falsely implicated in this case by the informant as it is impossible for a person to identify any person from the mob of 500 people. It has been further submitted that there is no any specific overt act alleged against the petitioners. Similarly situated co-accused persons have been granted bail by a co-ordinate bench of this Court vide order dated 27.03.2018 passed in Criminal Miscellaneous No. 16150 of 2018.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned **Sub Divisional Judicial Magistrate, Sadar, East Champara at Motihari**, in connection with **Rajepur P.S. Case No. 76 of 2016** subject to the conditions as laid down under Section 438(2) of the Cr.P.C



with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel their bail bonds.

(3) If the petitioners tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(S. Kumar, J)

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