

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1500 of 2018

Arising Out of PS. Case No.-90 Year-2017 Thana- DHURAIYA District- Banka

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1. Ranjit Yadav, Son of Late Kanhai Yadav,
 2. Pappu Yadav, Son of Adhik Lal Yadav.
 3. Mukesh Yadav @ Mukesh Kumar, Son of Tej Narayan Yadav,
all are Resident of Village Ucchadiha, P.S.- Dhoraiya, District-
Banka.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Kumar
For the Opposite Party/s : Mr. SRI DASHRATH MEHTA

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 11-01-2018 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, 188, 295A, 307, 323, 324, 325, 332, 333, 338, 341, 353, 427, 504 and 506 of the IPC.

The prosecution case, as per the written report of Gurudeo Prasad Gupta being the Block Development Officer, of Bhoraiya Block is to the effect that on 11.05.2017 at 9.30 PM, the informant was informed by the Officer-in-Charge, Dhoraiya Police Station that in the Village Ucchadiha, Muslim Communities are not celebrating Shabe-Barat (a Muslim festival), upon which the informant went to Ucchadiha and



enquired about the reason for not celebrating the festival, when persons of Muslim community conveyed that they will celebrate their festival only if the police protection is given. On this, assurance was given by the informant. Thereafter, certain people from Hindu Community came and protested against the providing of security and protection to Muslim Community and started hurling bricks and pelting stones.

It is submitted by learned counsel for the petitioners that the FIR has been lodged against 30 named and 50 unknown persons. The petitioners were named in the FIR. The accusation against the petitioners is omnibus and general. The informant has lodged the present case to save their skin. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent. Moreover, other similarly situated accused persons have been granted privilege of anticipatory bail by a co-ordinate Bench of this Court vide Cr. Misc. Nos. 39953 of 2017 and 36524 of 2017.

Considering the nature of accusation attributed against a mob, 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 Additional Chief Judicial Magistrate-IV, Banka in connection with Dhoraiya P.S. Case No. 90 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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