

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**Criminal Miscellaneous No.66588 of 2018**

Arising Out of PS. Case No.-69 Year-2018 Thana- VAISHALI

District- Vaishali

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1. Shankar Sah Son of late Binda Sah
2. Anand Bhairav@ Binda Singh Son of late Ram Sagar Singh
3. Sushil Kumar@ Sushil Thakur son of Devendra Thakur All Resident of Village- Vaishali, P.O.+P.S. Vaishali, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Santosh Kumar

For the Opposite Party/s : Mr. Sri Bhanu Pratap Singh

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**CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR**

ORAL ORDER

2     17-12-2018                      The petitioners seek bail in anticipation of their arrest in connection with Vaishali P.S. Case No. 69 of 2018 dated 25.03.2018 instituted for the offences under Sections 147, 148, 149, 153(A), 295, 295(A) of the Indian Penal Code.

The petitioners and many others are alleged to have caused disturbance in the performance of the religious rites of the informant which is an annual affair at the *Mazar* of Mira Shah Baba.



There is a counter version of the occurrence contained in Annexure-2 wherein worshipers of Hanuman have alleged that they were misbehaved with by the members of the other community.

The learned counsel for the petitioners has drawn the attention of this Court to the fact that both the F.I.Rs indicate that a Temple and Mosque are situated side by side and the occurrence is alleged to have taken place in the presence of the Police Party which was posted there for safe performance of the religious rituals of the both the communities.

In any view of the matter, many persons are said to have participated in the occurrence and nothing specific has been alleged against them.

The petitioners are persons of clean antecedents.

Regard being had to the aforesaid facts, the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, are directed to be released on bail on their furnishing bail bonds of Rs. 10,000/-(ten thousands)



each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Vaishali P.S. Case No. 69 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

Shageer/-

**(Ashutosh Kumar, J)**

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