

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24033 of 2018

Arising Out of PS. Case No.-439 Year-2017 Thana- MUFFASIL District- West Champaran

1. Ambedkar Patel, Son of Sri Mohan Patel,
2. Guddu Patel, Son of Late Manif Patel.
3. Sandiep Patel, Sri Shambhu Patel.
4. Pinku Patel, Son of Sri Hira Patel.
5. Ravi Patel, Son of Sri Prabhu Patel
6. Ramu Patel, Son of Sri Yogi Patel.
7. Sadhu Patel, Son of Sri Yogi Patel.
8. Satish Patel @ Chatish Patel, Son of Sri Motilal Patel.
9. Arjun Patel, Son of Late Hira Patel.
10. Dharmendra Patel, Son of Sri Thag Patel.
11. Jaleshwar Yadav, Son of Sri Rajendra Yadav.
12. Raju Prasad, Son of Sri Rameshwar Patel,
13. Pannalal Sah, Son of Late Binda Sah.
14. Sanjay Yadav, Son of Sri Lal Bharosh Yadav.
15. Manoj Sah, So of Late Gopal Sah.
16. Anil Sah, Son of Sri Harendra Sah.
17. Jaimangal Kumar Sharma, Son of Sri Motilal Sharma,
18. Rakesh Kumar, Son of Sri Ganga Prasad.
19. Bhantu Patel, Son of Sri Jawahir Prasad, All Residents of Village- Sansaraiya, P.S.- Bettiah, Muffasil, District- West Champaran.

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Adv.
For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 03-05-2018 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, 341, 323, 353, 307, 337, 427, 295 and 295A of the IPC.

The prosecution case, as per the self statement of Ramesh Chandra Upadhyay, the Station House Officer of Bettiah



Muffasil Police Station is to the effect that on 19.10.2017 at 4.30 P.M., the informant received an information that in the Village Sansaraiya, people of Hindu and Muslim Communities are pelting stones on each other, when the informant, with police force reached on the spot and found that 200 people from each community were pelting stones upon each other, whereupon the informant tried to intervene then the mob started pelting stones on the police force also. Thereafter, the informant informed the higher authority and on arrival of enough police force, they stopped pelting stones. Subsequently, the informant came to know that people of Hindu Community were claiming river embankment for celebrating Chhat festival whereas the people of Muslim Community were putting pillar near the embankment of the river. In the meantime, Sandeep Patel and Satish Patel started taking photographs from mobile which was protested by Imtyaz Ahmad which resulted into hurling abuse from both sides. Consequently, Imtiyaz Ahmad and his cousin brothers pulled down Sandeep Patel and Satish Patel from motorcycle and started assaulted them. In the background of aforesaid accusation, the FIR was registered against 40 named and 200 unknown persons. The petitioners are named in the FIR.

It is submitted by learned counsel for the petitioners that



for the petty issue, the accusation has been levelled against a mob. However, there is counter version of the occurrence also. A statement has been made in paragraph no.3 of the petition that apart from present one, one other case has also been lodged against the petitioners for the same incident.

Learned APP submits that the petitioners are named in the FIR.

Considering the fact that the accusation is against the 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 Chief Judicial Magistrate, West Champaran, Bettiah, in connection with Bettiah Muffasil P. S. Case No. 439 of 2017, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

U		T	
---	--	---	--

