

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36005 of 2018

Arising Out of PS. Case No.-77 Year-2016 Thana- RAJPUR District- East Champaran

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1. Sanjay Chaurasiya @ Sanjay Kumar son of Vishwanath Prasad
 2. Mithlesh Kumar @ Mithilesh Kumar son of Tarachandra Prasad Gupta All residents of village - Tetariya, P.S. Rajepur, District - East Champaran.
 3. Rahul Jha @ Sumit Kumar son of Manoj Kumar Jha
 4. Nand Kishore Paswan son of Naresh Paswan All residents of village - Tetariya, P.S. Rajepur, District - East Champaran.
 5. Manoj Kumar son of Late Hiralal Sah
 6. Sheo Shankar Sah @ Sheo Shankar Prasad son of Late Jiyalal Sah
 7. Kundan Chaurasiya @ Kundan Kumar son of Late Kripa Narayan Prasad Chaurasiya
 8. Ravi Kumar Chaurasiya son of Awadhesh Narayan Chaurasiya @ Avdhesh Na Prasad
 9. Ram Narayan Sah @ Satya Narayan Sah son of Late Shankar Sah
 10. Sonu Jha @ Sonu Kumar Jha son of Anjani Jha
 11. Mudai Kumar @ Bhuday Kumar @ Pappu Chaurasiya son of Late Dhruv Narayan Prasad Chaurasiya All residents of village - Tetariya, P.S. Rajepur, District - East Champaran.
 12. Rajesh Kumar son of Shyam Kishore Gupta resident of village - Raghunathpur, P.S. - Mushari, 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. Smt. Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 11-07-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in Rajepur P.S. Case
No. 77 of 2016 instituted for the offence under Sections 143,
144, 145, 147, 148, 149, 151, 152, 153A, 160, 295, 295A, 297,



298, 395, 341, 323, 504 and 342 of the Indian Penal Code.

Learned counsel for the petitioners has submitted that they are not named in the written report. Their name has come during investigation in the supervision note of the Dy. S.P.

The prosecution case is that on the date of occurrence FIR named accused persons along with 350-400 persons raised anti-Muslim slogans and arrived at the shop of the informant assaulted the informant and robbed the informant causing loss of Rs. 3,50,000/-. It is further submitted that other co-accused persons of this case have already been granted anticipatory bail by this Court as well as coordinate Bench of this Court vide orders dated 29.03.2018 and 15.03.2018 passed in Cr. Misc. Nos. 16963 of 2018 and 63582 of 2017

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Rajepur P.S. Case No. 77 of 2016, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the SDJM, Sadar East Champaran, Motihari, subject to the conditions as laid down under Section 438(2) Cr. P.C. with further conditions:(1)



bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper 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.

(Sanjay Priya, J)

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