

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37869 of 2018

Arising Out of PS.Case No. -251 Year- 2017 Thana -DORIGANJ District- SARAN

- =====
1. Umesh Rai, S/o Tarkeshwar Rai,
 2. Kamlesh Rai @ Kamesh Rai S/o Tarkeshwar Rai,
 3. Nanhak Rai S/o Tarkeshwar Rai,
 4. Chanesht Rai S/o Tarkeshwar Rai,
 5. Pankaj Rai S/o Kamlesh Rai @ Kamesh Rai,
 6. Alok Rai S/o Umesh Rai,
 7. Prabhat Rai @ Prabhat Kumar S/o Prem Prakash Rai,
 8. Sanjay Kumar @ Ranjay Rai @ Ranjay Kumar S/o Bhagwat Rai, All
Petitioners Nos. 1 to 8 R/o Vill.- Lodipur Chirand, P.S.- Doriganj,
Distt.- Chhapra.
 9. Satendra Rai S/o Dhaneshwar Rai, R/o Vill.- Daftarpur, P.S.- Doriganj,
Distt.- Chhapra.

.... Petitioner/s

Versus

The State of Bihar

... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar

For the Opposite Party/s : Mr. Sri Rajendra Prasad Nat

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR
SINGH**
ORAL ORDER

02/ 04-07-2018

Heard learned counsel for the petitioners and

learned APP for the State.

The petitioners are apprehending their arrest
in a case registered for the offences punishable under Sections
147, 148, 149, 188, 341, 383, 353, 332, 333, 307 and 120B of
the Indian Penal Code.

The prosecution case as per the written report
of Ram Ekbal Prasad, S.I. cum Station House Officer, Doriganj
P.S. submitted to Additional Sessions Judge-VII, Saran to the



effect that on the order of the District Magistrate, Saran the informant along with other police personnel went to get the place of storage of sand checked as in violation of the order passed by Department of Mines as well as by the High Court illegal mining and transportation of sand continued. On the spot mob made protest, pelted stones and bricks, consequently the informant and other police personnel received injuries. Thereafter, miscreants blocked the road and they again assaulted the police personnel. Consequently 160 miscreants identified including the petitioners.

It is submitted by learned counsel for the petitioners that the accusation is against the mob. None received any grievous injury and with the same accusation two other cases being Doriganj P.S. Case No. 249 of 2017 and 250 of 2017 have been registered against several persons including the petitioners. The petitioners claim to have been granted bail in those cases but statement to that effect has not been made in the petition and part from those cases the petitioners are not accused in any other case.

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

Considering the accusation against the mob



and the genesis of the occurrence, let the above named petitioners be released on anticipatory bail in the event of arrest or 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 the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VII, Saran at Chapra in connection with Doriganj P.S. Case No. 251 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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