

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3876 of 2019

Arising Out of PS. Case No.-118 Year-2015 Thana- BUXAR District- Buxar

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1. Md. Kaish Khan @ Kaish Khan, son of Harun Khan Resident of village- Sarimpur (Baraki) P.S, Buxar (Ind) Dist- Buxar
 2. Suhail Khan @ Monu Khan @ Monu, son of Md Faruk Khan Resident of village- Sarimpur (Baraki) P.S, Buxar (Ind) Dist- Buxar
 3. Moti Khan @ Mudasar Nazar, son of abdul Kayum khan Resident of village- Sarimpur (Baraki) P.S, Buxar (Ind) Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha
For the Opposite Party/s : Mr.Sakir Ahmad App(195)

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 28-01-2019 Heard the learned counsel for the petitioners and the State.

The petitioners seek bail in anticipation of their arrest in connection with Buxar (T) P.S. Case No. 118 of 2015 dated 12.03.2015 instituted for the offences under Sections 147, 148, 149, 341, 386, 379, 337, 436, 307, 332, 353 and 427 of the Indian Penal Code.

The petitioners and several others are alleged to have gathered at the spot where an accident had taken place because of faulty/rash driving of a truck driver which had hit an auto in the first instance and thereafter while speeding away the vehicle, other persons were also trampled down.



The allegation against the petitioners and others is of causing damage to public property and assault to persons.

Learned counsel for the petitioners has submitted that though the petitioners have been named in the FIR but no specific overt act has been attributed against them. The petitioners are stated to be the members of the mob. It is not unusual for people to collect at a place where many persons are injured in an accident and some of them have died as well. Under similar circumstances some of the other accused persons have been granted the privilege of anticipatory bail. One such order has been annexed with the petition. The aforesaid accident led to the filing of two other cases in which the petitioners were made accused about which reference has been made in paragraph-3 of the petition.

Considering the aforesaid facts, the petitioner are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Buxar (T) P.S. Case No. 118 of 2015,



subject to the conditions as laid down under Section
438(2) Cr.P.C.

(Ashutosh Kumar, J)

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