

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5285 of 2019

Arising Out of PS. Case No.-16 Year-2018 Thana- DUMRAO District- Buxar

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1. Deepak Kumar, Sex Male, aged about 19 years, son of Gorakhnath Ram
 2. Anirudh Ram @ Anirudwa Mochi sex male, aged about 36 years, son of Shiv Shankar Mochi
 3. Raju Paswan @ Raju Kumar @ Raju Ram, Sex Male, aged about 18 years, son of Shivdholan Paswan.
 4. Kiran Ram, Sex Male, aged about 44 years, son of Dhankshan Mochi.
 5. Suraj Ram @ Suraj Mochi Sex Male, aged about 44 years, son of Dhankshan Mochi
 6. Ramjee Yadav @ Ramji Singh Yadav Sex Male, aged about 45 years son of Late Bhola Nath Yadav
 7. Bhim Yadav Sex Male, aged about 49 years son of Shiv Shankar Yadav.
 8. Pintu Singh @ Sanjay Singh, Sex Male, aged about 31 years, son of Lalan Singh.
 9. Bam Bhole Yadav @ Upendra Kumar Sex Male, aged about 23 years, son of Shivji Prasad Singh.
 10. Pappu Ram @ Pappu Kumar Ram, Sex Male, aged about 31 years, son of Uma Shankar Ram.
 11. Jhurkuru Ram @ Rajesh Kumar Ram Sex Male, aged about 33 years, son of Uma Shankar Ram.
 12. Tyagi Yadav, Sex Male, aged about 18 years, son of Sri Bhagwan Yadav.
 13. Raju Ram @ Raju Kumar, Sex Male, aged about 21 years, son of Kamlesh Ram.
 14. Ravi Kumar @ Ravi Kumar Yadav, Sex Male, aged about 18 years, son of Manoj Yadav
 15. Suresh Ram Sex Male, aged about 31 years, son of Late Bihari Ram.

All resident of village Nandan, P.S. - Dumraon, District – Buxar.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Nitya Nand Tiwary, Advocate
For the Opposite Party/s :



CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-02-2019 Heard learned counsel for the petitioners. Neither learned A.P.P. who has entrusted with the case is present nor the brief of the case is available with the learned A.P.P. Incharge of this Court.

The petitioners are seeking anticipatory bail in connection with Dumraon P.S. Case No. 16/2018 registered under Sections 147, 148, 149, 504, 323, 333, 186, 325, 326, 307, 427, 337, 338, 353, 290, 120(B) of the Indian Penal Code and 3 of Damage to Public Property Act.

Learned counsel for the petitioners submits that these petitioners have been named in the F.I.R. on the basis of the disclosures said to have been made by Chowkidar and co-villagers. The allegations against them are that they were members of the mob who had allegedly involved in pelting stones on many vehicles which were moving along with the carcade of the Chief Minister during his visit of the area.

Learned counsel submits that the name of these petitioners have been brought in without there being any material to support the allegations and it is on mere suspicion that they have been involved in the present case. Learned counsel submits that there are two F.I.Rs. in connection with the



present occurrence.

The petitioners in the present case are seeking anticipatory bail in connection with the first F.I.R., whereas the second F.I.R. has been lodged by the Circle Officer and in the said F.I.R. the accused namely Ghanshyam Narayan Pathak and Rishikant Choubey who were made accused on similar allegations have been granted privilege of anticipatory bail by learned coordinate Bench of this court in Cr. Misc. No. 16593/2018 and Cr. Misc. No. 18790/2018 respectively. Learned counsel further submits that save and except petitioner nos. 4 & 15 against whom there is one case in which they are on bail, all other petitioners are having clean antecedent.

In the given facts and circumstances of the case where it is alleged that altogether 99 persons have been named in the F.I.R. on the basis of certain vague disclosures and then it is further submission that similarly situated persons whose names transpired in the second F.I.R. have been granted privilege of anticipatory bail by learned coordinate Bench of this court, in the event of their arrest/surrender before the court below within a period of four weeks, let the above-named petitioners be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) each with two sureties of the like



amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar, in connection with Dumraon P.S. Case No. 16/2018, subject to condition that petitioner shall join investigation by reporting to the Investigating Officer within a period of one week from today and shall cooperate in course of investigation, failing which it will be open to the Investigating Officer to approach this court for cancellation of bail. This will be in addition to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

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