

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9396 of 2019

Arising Out of PS. Case No.-283 Year-2018 Thana- PUPRI District- Sitamarhi

-
1. Ram Ganesh Rai @ Ram Ganesh Ram @ Ganesh Ram @ Ganesh Rai, aged about 60 years, Male, S/o Chulahi Ram
 2. Yugal Mukhia @ Jugal Mukhiya, aged about 52 years, Male, S/o Rodi Mukhiya
 3. Garati Khatbey @ Darati Khatbey, aged about 50 years, Male, S/o Rambilash Khatbey
 4. Jai Prakash Mandal, aged about 42 years, Male, S/o Vijay Mandal
 5. Nagendra Khatbey, aged about 30 years, Male, S/o Ramashish Khatbey
 6. Rikesh Kumar @ Rikki Mandal @ Rikash Mandal, aged about 22 years, Male, S/o Vijay Mandal

All residents of Village Chouraut Utri, P.S. Pupri, District Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 19-02-2019 Heard both sides.

Petitioners apprehend their arrest in Pupri P.S. Case No.283 of 2018, registered under Sections 307, 353, 427, 324 and other minor sections of the Indian Penal Code and under Sections 3 and 4 of the Damage to Public Property Act.

The informant, the SHO of Choraut O.P., named the petitioners and alleged that while the police officials were taking some women to Choraut O.P., on the instigation of Hemant Shukla, the Sarpanch of Choraut, the petitioners and others started pelting stones.

Learned counsel for the petitioners submits that no offence under Section 307 or 353 of the Indian Penal Code is made



out. The informant of course named the petitioners but did not make any specific allegation against them. The informant alleged that the petitioners were instigating the mob to take the custody of the women, who were alleged to have indulged in theft of children, in order to kill them. It is further submitted that Hemant Shukla, against whom the same and similar allegation is made, has already been enlarged on anticipatory bail by the learned Sessions Judge, Sitamarhi in A.B.P. No.1931 of 2018. The case of the petitioners stands on the same footing.

Taking into consideration the facts aforesaid and the nature of allegations made against the petitioners and the fact that Hemant Shukla, against whom the same and similar allegation is made, has already been enlarged on anticipatory bail, let petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt of this order, be enlarged on 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 learned S.D.J.M., (P), Sitamarhi in connection with Pupri P.S. Case No.283 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Prabhat Kumar Jha, J)

S.KUMAR/-

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

