

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35576 of 2019

Arising Out of PS. Case No.-133 Year-2014 Thana- MADANPUR District- Aurangabad

1. Chandan Kumar, Son of Brijlal Sharma Resident of Village - Madanpur, P.S.- Madanpur, Dist.- Aurangabad.
2. Basant Paswan @ basant Kumar Paswan Son of Chandri Paswan Resident of Village - Jurahi, P.S.- Madanpur, Dist.- Aurangabad.
3. Mahesh Paswan Son of Jamindari Paswan Resident of Village - Koiribigha, P.S.- Madanpur, Dist.- Aurangabad.
4. Devnath @ Deonath Thakur Son of Tapeswar Paswan Resident of Village - Koiribigha, P.S.- Madanpur, Dist.- Aurangabad.
5. Manoranjan Kumar Son of Ramadhar Paswan Resident of Village - Koiribigha, P.S.- Madanpur, Dist.- Aurangabad.
6. Ramji Singh Bhokta Son of Sita Singh Resident of Village - Jurahi, P.S.- Madanpur, Dist.- Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan
Ms. Mukul Kumari, Adv.
For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 22-08-2019 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

Petitioners apprehend their arrest in connection with
Madanpur P.S. Case No.133 of 2014, G.R. No.1415 of 2014, for
the offence punishable under Sections 147, 148, 149, 341, 337,
353, 427, 504, 124(A) of the Indian Penal Code and Section 17
of C.L.A. Act.

The allegation against the petitioners as per the First



Information Report is that police received an input that Maoist prepared a different groups and they encircled the Madanpur Police Station with an intention to attack the police station and commit loot of armours. It has further been alleged that 500 unknown accused persons belonging to Maoist group started brick batting the police station and damaged building of the Madanpur police station and also raised anti-police slogan.

Learned counsel appearing for the petitioners submits that petitioners are not named in the FIR and the FIR has been lodged against 500 unknown persons. Learned counsel further submits that petitioners are student studying in graduation and were returning from their coaching institute and has falsely been implicated on the basis of disclosure made by the village chowkidar. Learned counsel further submits that no incriminating material has been recovered from the possession of the petitioners and they do not belong to any extremist organization. Learned counsel also submits that the petitioners had no knowledge about the institution of the present case in 2014 and the moment they got the knowledge, they have started the legal process for obtaining bail.

Learned counsel appearing for the State referring the case diary submits that no incriminating material has come



against the petitioners in the case diary.

After having heard learned counsel for the petitioners as well as learned counsel appearing on behalf of the State and taking into consideration the fact that during the course of investigation, no incriminating material has come against the petitioners and petitioners are not named in the FIR and there is no evidence to show that they are having any link with the Maoist, as such, I am inclined to grant anticipatory bail to all the petitioners.

Accordingly, all the petitioners, above named, are directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Aurangabad, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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