

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55566 of 2018

Arising Out of PS. Case No.-167 Year-2018 Thana- BATHNAHA District- Sitamarhi

1. Chandra Bhusan Kumar, S/o Viru Singh,
2. Veeru Singh S/o Late Chulhai Singh,
3. Ram Narayan Kumar S/o Viru Singh,
4. Chhotu Kumar @ Harendra Kumar S/o Baidnath Das,
5. Santosh Sah S/o Nathuni Sah,
6. Hari Kishore Singh S/o Khobhari Singh,
7. Birendra Sah S/o Sahdeo Sah,
8. Devendra Sah S/o Sahdeo Sah, All are R/o Vill.- Dhattrain tola; Kamaldah,
P.S.- Bathnaha , District- Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma

For the Opposite Party/s : Mr. Kanhaiya Kishore

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 22-01-2019 Heard learned Counsels for the petitioners and
learned APP for the State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 353, 283 and 285 of the Indian Penal Code.

The prosecution case as per the self statement of S.I. Prabhat Ranjan Saxena, SHO of Bathnaha Police Station dated 08.06.2018 at 02.00 P.M. is to the effect that on the same day at 4.30 A.M., the informant received a secret information that the



local police assaulted a boy, due to which local persons blocked NH-77. It is further alleged that when the informant along with other police officials reached the spot, they found NH-77 blocked. When the informant tried to pacify the issue, all the accused persons declined to remove the blockage and also pelted stones and bricks over the police personnel and obstructed the police in discharge of their duty.

It is submitted by learned counsel for the petitioners that the accusation against the petitioners are omnibus and general and the public at large were protesting against the assault made to a boy by a police. A statement is made in paragraph no. 3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP after going through the case diary submits that the petitioners were the persons, leading the mob and instigating for committing the aforementioned offences.

Considering the accusation against the mob, coupled with statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, 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 12 weeks from today, 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 **CJM, Sitamarhi** in connection with **Bathnaha P.S. Case No.167 of 2018**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

Deepak/Rahul/-

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