

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41482 of 2019

Arising Out of PS. Case No.-25 Year-2019 Thana- MAGADH UNIVERSITY District- Gaya

1. Anil Yadav @ Anil Kumar Yadav, S/o Balram Yadav @ Baldev Yadav Resident of Village- Pathalgarh, P.S.- Magadh University, District- Gaya
2. Rajdeb Manjhi @ Rajdev Manjhi S/o Late Tufani Manjhi @ Faguni Manjhi Resident of Village- Pathalgarh, P.S.- Magadh University, District- Gaya
3. Raju Yadav @ Rajesh Yadav S/o Jugal Yadav @ Yugal Yadav Resident of Village- Pathalgarh, P.S.- Magadh University, District- Gaya
4. Bhuneshwar Yadav S/o Raghuni Yadav Resident of Village- Pathalgarh, P.S.- Magadh University, District- Gaya
5. Baudh Yadav @ Sharwan Yadav S/o Ganesh Yadav Resident of Village- Pathalgarh, P.S.- Magadh University, District- Gaya
6. Raju Manjhi @ Ranjan Kumar Manjhi S/o Chandrika Manjhi @ Chanarik Manjhi Resident of Village- Jindapur, P.S.- Magadh University, District- Gaya.
7. Ganauri Manjhi S/o Pati Manjhi Resident of Village- Jindapur, P.S.- Magadh University, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satish Kumar Sinha
For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 05-07-2019 Learned counsel appearing on behalf of the petitioners seeks permission to withdraw the application filed on behalf of the petitioner No. 4, namely, Bhuneshwar Yadav, as he has already been apprehended by the Police.

In view of the above, the application filed on behalf of the petitioner No.4 Bhuneshwar Yadav is dismissed as withdrawn.



Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Magadh University P.S. Case no. 25 of 2019, registered under Sections 147, 148, 149, 323, 353, 427 and 435 of the Indian Penal Code, Section 72 of the Bihar Police Act and Section 4 of the Prevention of Damage to Public Property Act.

The accusation is that in course of patrolling duty, informant and other Police personnel received information about an accident in which one person has died on N.H-83, then informant and other Police personnel reached there and saw huge crowd on the road and one person was lying dead. The mob informed that accident took place between motorcycle and Haiwa Truck bearing registration No. BR-02GA-5366 in which motorcycle rider died on the spot. At that time, informant sent the dead body for Postmortem on which mob became angry and put the Haiwa truck on fire. At that time, out of the mob, ten persons, including the petitioners, were identified.

Learned counsel for the petitioners submits that while petitioners are named in the F.I.R., but no specific overt



act has been attributed against the petitioners. The petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners No.1,2,3,5,6 and 7 be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four 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 Additional Chief Judicial Magistrate-IX, Gaya in connection with Magadh University P.S. Case No. 25 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

manish/-

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

