

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55259 of 2019

Arising Out of PS. Case No.-73 Year-2018 Thana- RAJNAGAR District- Madhubani

1. AMIRA DEVI Wife of Vinod Thakur Resident of Village - Kewan, P.S.-
Rajnagar, Dist.- Madhubani
2. Ravindra Sharma Son of Ram Narayan Sharma Resident of Village - Kewan,
P.S.- Rajnagar, Dist.- Madhubani

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioners	:	Mr. Bhavesh Kumar, Advocate.
For the State	:	Mr. Ashok Kumar Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 17-09-2019 Heard learned counsel for the petitioners and the learned
A.P.P. for the State.

The petitioners apprehend their arrest in connection with
Rajnagar P.S. Case No.73 of 2018 registered under Sections 143,
144, 147, 148, 149, 113, 278, 341, 342, 337, 338, 332, 333, 307, 353,
504, 427, 435 and 440 of the Indian Penal Code besides Sections ¾
of the D.P.P. Act.

The accusation is that on 03.03.2018, in a road accident at
Ganj Iria under Rajnagar Police Station, Rinku Devi died, whereas
her husband Ranjeet Kumar Sharma sustained injury. Thereafter, on
the written application of Narayan Thakur, given in this regard,
Rajnagar P.S. Case No.56 of 2018 was instituted and the driver
Murari Kumar Gupta was arrested and he was sent in judicial



custody on 04.03.2018 from where he was allowed bail. In the meantime, injured Ranjeet Kumar Sharma died in course of treatment on 11.03.2018 at the Private Hospital, Darbhanga and his post-mortem was held at D.M.C.H., Darbhanga. Thereafter, rumour was spread by antisocial elements that the driver was released by the police from the police station. However, the people were informed by the local administration about the real fact but on 12.03.2018, the informant received information about blockading of the main road of Madhubani-Rajnagar-Babubarahi and also of the link road and that the vehicle of the Lalmania O.P. turned upside down and after damaging the same “Maar-Peet” with the driver took place. To verify the aforesaid incident, the informant along with other police personnel proceeded for there and after reaching there tried to convince the people. Thereafter, all of sudden, 100-150 men and women attacked on the police party with lathi, danda etc. in which several constables received injuries. In the meantime, when one person tried to take the video-graphy, then the men and women also committed “Maar-Peet” with him and the people were also instigated to set the police station on fire. Thereafter, the men and women raising slogans, burnt the vehicle of “Maalkhana” and also damaged the private vehicles. To control the mob, two rounds firing was also made by the Reserve Force and after reaching of the senior police officer and police force, the situation was controlled. At that time, 13 persons including the petitioners were identified from mob.



Learned counsel for the petitioners submits that while the petitioners are named in the F.I.R. but no specific overt act is attributed to them. The petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Sri Vikash Jha, Judicial Magistrate, First Class, Madhubani, in connection with Rajnagar P.S. Case No.73 of 2018, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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