

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53687 of 2019

Arising Out of PS. Case No.-18 Year-2019 Thana- KHAJAULI District- Madhubani

1. RAM BALAK SAHANI Son of Guneshwar Sahani Resident of Village-Kasma, P.S.-Khajauli, District-Madhubani.
2. Jitendra Sahani Son of Kailu Sahani Resident of Village-Kasma, P.S.-Khajauli, District-Madhubani.
3. Lal Bodh Sahani Son of Kailu Sahani Resident of Village-Kasma, P.S.-Khajauli, District-Madhubani.
4. Rohit Sahani Son of Sitab Sahani Resident of Village-Kasma, P.S.-Khajauli, District-Madhubani.
5. Aghnu Sahani Son of Late Ram Bahadur Sahani Resident of Village-Kasma, P.S.-Khajauli, District-Madhubani.
6. Dharme Sahani Son of Rijhan Sahani Resident of Village-Kasma, P.S.-Khajauli, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 28-08-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Khajauli P.S. Case N0. 18 of 2019, disclosing offences under Sections 147,148,149,341,342,323,307,353,337,427,504 of the Indian Penal Code.

The occurrence is said to have taken place when the idol of a goddess was in the process of being immersed in water. There was a procession of which the petitioners and other



named accused persons were parties. It appears that to prevent scuffle between the two groups during the immersion , the police party had interceded. Allegedly, the persons named in the First Information Report and others became violent, indulged in brick batting and attempted to snatch arms and ammunitions from the members of the police party.

Learned counsel for the petitioners has submitted that there is no specific allegation against them and the allegation is general and omnibus.

Considering the general and omnibus nature of allegation, this application is allowed.

Let the petitioners above named in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-III, Madhubani in Khajauli P.S.Case No. 18 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions,



their bail bonds shall be liable to be cancelled.

Let the District Magistrate, Madhubani take a decision as to whether this is a fit case for invocation of the provisions of Bihar Collective Fines (Imposition) Act, 1982.

Let a copy of this order be communicated to the District Magistrate, Madhubani, forthwith.

(Chakradhari Sharan Singh, J)

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