

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53675 of 2019

Arising Out of PS. Case No.-73 Year-2019 Thana- TELHARA District- Nalanda

1. RAHUL KUMAR @ DHARMENDRA KUMAR Son of Jay Prakash Chaurasiya Resident of Village - Telhara Bazar, Durgasthan, P.S.- Telhara, Distt - Nalanda.
2. Raushan Kumar Son of Jay Prakash Chaurasiya Resident of Village - Telhara Bazar, Durgasthan, P.S.- Telhara, Distt - Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee
For the Opposite Party/s : Mr.Abhay Kumar

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 Telhara P.S. Case No. 73 of 2019, disclosing the offence under Section 307 and other allied Sections of the Indian Penal Code.

Protesting against the death of brother of these petitioners, it is alleged in the FIR, that the local residents were agitated. The deceased had died in a road accident. The mob, which was protesting against death, had become aggressive and violent, had completely blocked the road and indulged in arson and brick-batting. They are said to have attacked the police party also which had gone there to pacify the mob.

Learned counsel appearing on behalf of the



petitioners has submitted that there is no specific role attributable to the petitioners in the FIR. He has also stated that similarly circumstanced co-accused Sunil Kumar has been allowed anticipatory bail vide order dated 30.07.2019 in Cr. Misc. No. 47216 of 2019.

Considering the above, 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 bonds of Rs. 10,000/-(ten thousand) each, with two sureties of the like amount each, to the satisfaction of the learned J.M. Ist Class, Hilsa, Nalanda in Telhara P.S. Case No. 73 of 2019, subject to the condition 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, Nalanda examine as to whether it is a fit circumstance which requires invocation of the provisions of Bihar Collective Fines (Imposition) Act, 1982.



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

(Chakradhari Sharan Singh, J)

Rajesh/-

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

