

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59592 of 2019

Arising Out of PS. Case No.-146 Year-2017 Thana- TEKARI District- Gaya

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1. PINTU MIAN, aged about 32 years, Male, Son of Ishaque Mian, Resident of Village- Chakmath, P.S.- Tekari, District- Gaya
 2. Dharmendra Kewat, aged about 45 years, Male, Son of Yogi Nishad Resident of Village- Chakmath, P.S.- Tekari, District- Gaya
 3. Dhananjay Yadav @ Dhanjay Yadav, aged about 35 years, Male, Son of Ramudit Yadav Resident of Village- Chakmath, P.S.- Tekari, District- Gaya
- ... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Lilawati Singh, Adv.

For the Opposite Party : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 20-09-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Tekari P.S. Case No. 146 of 2017 for the offences alleged under Sections 147, 148, 149, 341, 342, 323, 353, 307, 332, 333, 282, 504, 506, 354 and 509 of the Indian Penal Code.

The accusation is that due to firing made by the sand mafia on the villagers, one person sustained injury, thereafter, informant, along with police personnel and Circle Officer, went at Tekari Block Mor to maintain the law and order where in the leadership of Upendra Kumar, husband of Up-Mukhiya and Pintu Mian, along with five persons, named in the first



information report, 70-80 unknown blocked the road while the school bus and other passengers' buses were detained due to blocking. On seeing the police party the member of mob started to cause assault by pelting stones and throwing lathi and danda on the police personnel.

The learned counsel for the petitioners submits that in fact due to making firing of sand smugglers, one villager sustained grievous injury due to that reason villagers blocked the road where informant and other police personnel reached there. The informant lodged the present case and regarding same occurrence five cases also lodged in which petitioners and several persons are accused. However, submission is that similarly situated co-accused, Mithilesh Kewat, Upendra Kumar and Tenni Yadav, have already been allowed the privilege of pre-arrest bail vide Cr. Misc. No. 55621 of 2019 on 05.09.2019.

Having regard to the facts and circumstances of the case, let the petitioners, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Tekari P.S. Case No. 146 of 2017 shall be released on bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, VI,



Gaya, or the successor Court subject to the conditions as laid
down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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