

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57637 of 2019

Arising Out of PS. Case No.-55 Year-2019 Thana- RAJAOLI District- Nawada

1. Pintu Mistri @ Pintu Kumar Sharma, Son of Prayag Mistri @ Baleshwar Sharma Resident of Village - Mahsai, P.S.- Rajauli, Distt - Nawadah.
2. Mishri Mistry, Son of Arjun Mistry Resident of Village - Mahsai, P.S.- Rajauli, Distt - Nawadah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma
For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 13-09-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Rajauli P.S. Case no. 55 of 2019, registered under Sections 147, 148, 149, 387, 307, 353, 504, 337 and 338 of the Indian Penal Code.

The accusation is that one pick up van attached with Trolley was seized by the Police and carried at Police Station lodging Rajauli P.S. Case No. 54 of 2019 on 12.02.2019 under Sections 188 and 291 of the I.P.C. and Section 9 of Control of Volume of Play Loud Speaker Act. After two hours, a mob of 100 people came at Police Station raising slogans



against the Police and entered in the campus of the Police Station giving pressure to release the seized vehicle and they tried to carry the said vehicle. Thereafter, S.T.F force was called and when they forbade them then all started pelting stones on the Police personnel. At that time, Gaya Sao, Manoj Sao and Surendra Prasad @ Bhushan Prasad were caught hold and 16 persons, including the petitioners, were identified as member of the mob.

Learned counsel for the petitioners submits that, although, petitioners are named in the F.I.R., but no specific overt act has been attributed against the petitioners. Further submission is that similarly situated co-accused Ranjan Chaudhary @ Ranjan Kumar Chaudhary and two others have already been allowed privilege of pre-arrest bail by a co-ordinate Bench of this Court on 27.06.2019 vide Criminal Miscellaneous No. 38345 of 2019. The petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners, 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) with two sureties of the like



amount each to the satisfaction of the Chief Judicial Magistrate,
Nawada in connection with Rajauli P.S. Case No. 55 of 2019,
subject to the condition as laid down under Section 438 (2) of
the Cr.P.C.

(Rajendra Kumar Mishra, J)

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