

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64156 of 2019

Arising Out of PS. Case No.-24 Year-2019 Thana- INARWA District- West Champaran

1. Jamir Mian, Son of Sadiq Mian R/o Village- Piradi, P.S.- Inarwa, Distt.- West Champaran.
2. Khuti Rai, S/O Late Kanchan Rai R/o Village- Piradi, P.S.- Inarwa, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 22-10-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Inarwa P.S. Case No. 24 of 2019, registered under Sections 147, 148, 149, 341, 342, 323, 353, 307, 332, 333, 337, 186, 188, 109, 431, 427, 386, 504 and 506 of the Indian Penal Code and Sections 3 and 4 of the Prevention of Damage to Public Property Act.

The accusation is that on preceding day of Lok Sabha Election, the checking of the vehicle was being done by the police officials, at that time Dhananjai Sah of village Pindari came and intervened in the checking of the vehicle and started



obstruction in the discharge of the duty of the police officials, then, the police informed the informant at Police Station and informant moved from there boarding on a motorcycle. The mob surrounded him and started abusing, thereafter, information was given to the high police officials, then, the Officer-in-Charge, Mainatand Police Station, reached there and tried to convince the mob, but, at that time brick and stone pelting started in which some police personnel sustained injury and the mob also damaged the Government vehicle and dashed in the canal. Anyhow, informant saved himself by concealing in a shop. The local Chokidar, Lallan Prasad, identified 36 persons, including the petitioners out of the mob. The mob was led by Dhananjay Sah and Pameshwar Giri.

Learned counsel for the petitioners submits that while the petitioners are named in the F.I.R. but no specific overt act has been attributed against the petitioners and the petitioners have no criminal antecedent.

Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

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 six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, West Champaran at Bettiah, in connection with Inarwa P.S. Case No. 24 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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