

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72283 of 2019

Arising Out of PS. Case No.-75 Year-2016 Thana- RAJEPUR District- East Champaran

1. UMESH RAM Son of Ramnarain Ram Resident of Village- Kothia, P.S.- Madhuban, District- East Champaran.
2. Ashok Ram Son of Jaimangal Ram Resident of Village- Kothia, P.S.- Madhuban, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr.Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 18-11-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Rajepur P.S. Case No. 75 of 2016, registered under Section 143, 427 and 353 of the Indian Penal Code and Section 3/5 of the Prevention of Damages to Property Act.

The accusation is that 150 persons including the petitioners came at the Block Office, Tetariya, and damaged the window and articles.

Learned counsel for the petitioners submits that the informant has not disclosed the motive behind the occurrence in the FIR, as such, it appears that the informant is not the eye



witness of the occurrence. It is further submitted that co-accused, Sanjay Sahni and five others, have already been granted privilege of pre-arrest bail by a Bench of this Court vide order dated 18.10.2017 passed in Criminal Misc. No. 46286 of 2017. Further submission is that regarding the same occurrence, 12 cases have been lodged against the petitioners by the some community as detailed in paragraph 3 of the petition.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of his 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 S.D.J.M., Sadar, East Champaran, Motihari, in connection with Rajepur P.S. Case No. 75 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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