

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12912 of 2020

Arising Out of PS. Case No.-60 Year-2019 Thana- RAMNAGAR District- West Champaran

1. Nasir Ali @ Nasir Akhatar Son of Sheikh Abid @ Abid Hussain Resident of Village - Jogiya, P.S.- Ramnagar, Distt.- West Champaran.
2. Samir Akhatar @ Mohammad Samir Son of Sheikh Abid @ Abid Hussain Resident of Village - Jogiya, P.S.- Ramnagar, Distt.- West Champaran.

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioners : Mr. Sachida Nand Rai, Advocate.

For the State : Mr. Chandra Sen Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 03-07-2020 Heard learned counsel for the petitioners and the learned A.P.P. for the State through Video Conferencing.

The petitioners apprehend their arrest in connection with Ramnagar P.S. Case No.60 of 2019 registered under Sections 147, 148, 149, 341, 323, 337, 338, 307, 353, 379, 447 and 290 of the Indian Penal Code.

The accusation is that on receiving the information about the death of several persons and sustaining injury by several persons due to accident of Hywa truck and magic vehicle near Gajwa, situated at Ramnagar Lauriya Road, the informant along with other police personnel reached there, where they saw the police patrolling party already engaged from



before in saving the life of the injured and for getting the injured treated and admitted at P.H.C. Ramnagar and the rescue operation was also going on to remove the injured and dead persons from the bottom of Hywa. At that time, the local people were also helping them for this work. While the injured and dead persons were removed and there was peaceful atmosphere but, in the meantime, 40-50 anti social elements came there and started to create nuisance and they damaged the police vehicle and committed “Maar-Peet” with the police administration and Media and after creating disturbance in the police official duty, they blockade the road. The miscreants also pelted stones at the police vehicle and police party in which the police vehicles became damaged and, in that course, they caused assault through fists and legs to the Police Station Jeep Driver Brind Singh. At that time, out of them, Hifzur Rahman, Chhotkun and Shamim Khan alias Hira Khan were identified.

Learned counsel for the petitioners submits that the petitioners are not named in the F.I.R. In course of investigation, the name of the petitioners and some others surfaced in the supervision note of the Dy.S.P. as detailed in paragraph-36 of the case diary, on the basis of the information given by the Spy.



Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond 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-III, Bagaha, West Champaran, in connection with Ramnagar P.S. Case No.60 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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