

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12268 of 2020

Arising Out of PS. Case No.-235 Year-2019 Thana- BARGAINIA District- Sitamarhi

1. SIKINDRA DAS Son of Ram Sogarath Das Resident of Village - Baheri, P.S.- Bairgania, District - Sitamarhi
2. Rajesh Sah Son of Bhulan Sah Resident of Village - Baheri, P.S.- Bairgania, District - Sitamarhi
3. Ram Babu Kumar Sah @ Ram Babu Kumar Son of Ram Kailash Das @ Ram Kailash Sah Resident of Village - Baheri, P.S.- Bairgania, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Adv.
For the Opposite Party/s : Mr.Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 09-07-2020 Heard learned counsel for the petitioners and learned
APP for the State, through video conferencing.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Bairgania P.S. Case No. 235 of 2019, registered under sections 147, 148, 149, 188, 333, 353, 335, 338, 323, 324, 307 and 504 of the Indian Penal Code and section 3 of Bihar Control of the Use and Play of Loudspeaker Act, 1955.

As per allegation in the FIR, it is stated by the informant that on the date of occurrence, in course of immersion of idol of goddess Durga, there was dispute between the resident



of the two villages which led the police personnel also being injured. It is further stated that more than 120 persons were identified who have been named in the FIR besides 250-300 unknown.

It is submitted by learned counsel for the petitioners that the allegations are general and omnibus in nature. They have no criminal antecedent and their case stands on a similar footing to that of the 12 accused persons who have been enlarged on bail vide order dated 3.2.2020 (Annexure-2) passed in Cr. Misc. No. 1068 of 2020.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the grant of bail to co-accused, the Court is inclined to enlarge the three petitioners on bail. The petitioners are directed to surrender in the Court below within a period of eight weeks from today and in the event of their arrest or surrender in connection with Bairgania P.S. Case no. 235 of 2019, they will be enlarged on bail on each of them furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi subject to the condition as laid down under



section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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