

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17266 of 2020**

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1. Ram Kumar Roy, son of Ravi Nandan Roy, R/o village- Hanskosha, P.S.-
Forbisganj, District- Araria
2. Komal Devi @ Kamal Devi wife of Manoj Ray, R/o village- Hanskosha,
P.S.- Forbisganj, District- Araria
3. Sanjay Jha, son of Late Shivanand Jha, R/o village- Bhatabari, Ward No.
10, P.S.- Forbisganj, District- Araria

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nishant Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 15-07-2020 Heard learned counsel for the petitioners and Mr.
Akhileshwar Dayal, learned APP for the State.

Petitioners in the present case are apprehending their
arrest in connection with Forbisganj P.S. Case No. 836 of 2019
registered for the offences punishable under Sections 147, 148,
149, 150, 151, 186, 332, 333, 427, 353 and 504 of the Indian
Penal Code.

Learned counsel for the petitioners submits that in the
first information report there are allegations that at the instance
of one local leader Bhupendra Rai a large number of women
surrounded the Block office and damaged the property of the
government, so far as these petitioners are concerned, they are



though named in the first information report as the women who were identified in CCTV footage, but there is no specific allegation of causing any overt act against these petitioners. It is further submitted that at least 29 co-accused similarly situated have been granted privilege of anticipatory bail by learned coordinate Benches of this Court in Cr. Misc. Nos. 85583 of 2019 and 7237 of 2020.

Mr. Akhileshwar Dayal, learned APP for the State has though opposed the prayer for anticipatory bail of the petitioners, but considering the facts and circumstances of the case wherein these petitioners are said to be the members of the mob but no specific allegation of commission of overt act is there and the co-accused similarly situated have been granted privilege of anticipatory bail by learned coordinate Benches of this Court, this Court directs release of the petitioners above named on bail in case of their arrest or surrender within four weeks from today in connection with Forbisganj P.S. Case No. 836 of 2019 on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.



(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

