

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17383 of 2020**

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1. Heera Lal Ram, son of Ramprit Ram
 2. Pershish Ram, son of Rambujhawan Ram
 3. Pradeep Ram, son of Muneshwar Ram.
- All are resident of village-Mukundpur, Police Station-Patepur in the district of Vaishali.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Advocate

For the Opposite Party/s : Mr.Dilip Kumar No.-1, APP

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

2 20-07-2020 Heard learned counsel for the petitioners and Mr. Dilip Kumar No.1, learned APP for the State.

Petitioners in the present case are seeking pre-arrest bail in connection with Patepur P.S. Case No.267 of 2019 registered for the offence punishable under Sections 147, 148, 149, 452, 380, 436, 353, 332, 333, 307, 153, 504, 379, 511, 186, 188, 427 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioners submits that in the First Information Report it is alleged that altogether 300-400 persons had assembled at the place of occurrence protesting against the death of a person and the mob indulged in throwing bricks and stones and also interfered with the police officer on duty. So far as these petitioners are concerned, no specific overt act has been alleged against them and they have been only described as members of the



mob. Learned counsel submits that it is a case of false implication of the petitioners. It is also submitted that the similarly situated accused persons have been granted privilege of anticipatory bail in Cr.Misc.No. 12011 of 2020 and Cr.Misc.No.18924 of 2020.

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 altogether 300-400 persons are said to have assembled at the place of occurrence and they allegedly get involved in creating hindrance in the traffic and also allegedly interfered with the police officers, but there is no specific allegation against these petitioners and further that the similarly situated accused persons have been granted privilege of anticipatory bail by a learned coordinate Bench of this Court, let the petitioners above named in the event of their arrest or surrender within a period of four weeks from today in connection with Patepur P.S. Case No.267 of 2019 be released on bail 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 A.C.J.M.XIV, Vaishali at Hajipur 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'.

