

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24388 of 2020

Arising Out of PS. Case No.-74 Year-2020 Thana- CHENARI District- Rohtas

1. TARIK BEG @ MOHAMMAD TARIK BEG Son of Akaram Beg Resident of Village- Pewandi, Police Station- Chenari, District- Rohtas at Sasaram.
2. Mokaram Beg Son of Akaram Beg Resident of Village- Pewandi, Police Station- Chenari, District- Rohtas at Sasaram.
3. Mustafa Beg @ Mujataba Vaig Son of Akaram Beg Resident of Village- Pewandi, Police Station- Chenari, District- Rohtas at Sasaram.
4. Saiyad Ali Beg @ Shaiful Islam Beg Son of Akaram Beg Resident of Village- Pewandi, Police Station- Chenari, District- Rohtas at Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Agarwal, Sr. Adv. Mr. Raghunandan Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-10-2020 Heard Mr. N. K. Agarwal, learned senior counsel for the petitioner and Mr. Navin Kumar Pandey, Additional Public Prosecutor for the state through video conferencing.

2. Petitioners apprehend their arrest in connection with Chenari PS Case No. 74 of 2020 registered for the offence punishable under Sections 147, 148, 149, 323, 337, 153(A), 295(A), 504, 353, 333 and 307 of the Indian Penal Code.

3. The prosecution story, as per First Information Report, lodged by SHO of Chenari Police Station, is that on 10.05.2020 at about 10:30 PM, the informant received an



information that at Village-Pewandi, two communities have assembled in two groups and were throwing stones and bricks on each others. When the police party arrived at the place of occurrence and started chasing the crowd, both the parties pelted stones and attacked upon the police by *lathi*, *danda* and other sharp weapons. It is further alleged that with the help of police personnel the situation was brought under control and on enquiry, the police came to the finding that there were differences between the two communities on some religious issues. The FIR also reveals that altogether 100 named accused persons are there along with 300 unknown persons.

4. Learned senior counsel for the petitioners submits that the petitioners have got no criminal antecedents and they have falsely been implicated in this case under some misconceptions. Learned counsel further submits that the allegation against the petitioners is general and omnibus in nature along with 100 named accused persons and 300 unknown persons. Learned counsel also submits that the injuries, caused to the victims, have been found to be simple in nature and learned Sessions Judge, in his order impugned, has observed that communal enmity between the villagers is there but they need a chance to restore the communal harmony, so that,



normalcy can be brought in the village.

5. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that no serious injuries have been caused to the victims, I am inclined to grant anticipatory bail to the petitioners.

6. Accordingly, petitioners, named above, shall be released on anticipatory bail, in the event of arrest or surrender within six weeks, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-4, Rohtas at Sasaram, in connection with Chenari PS Case No. 74 of 2020, subject to the conditions as laid down under Section 438(2) CrPC.

7. It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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