

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87441 of 2019

Arising Out of PS. Case No.-207 Year-2019 Thana- PHULPARAS District- Madhubani

1. RAJDEO SINGH @ RAJDEV MAHTO Son of Dukhi Mahto
2. Rajesh Kumar Singh @ Rajesh Kumar Mahto Son of Parmeshwar Singh
3. Parikshan Singh @ Parikshan Mahto Son of Late Kari Mahto
4. Umesh Prasad Singh @ Umesh Mahto Son of Late Bhadu Mahto
5. Dukharan Singh @ Dukhaharn Mahto Son of Mangal Mahto
6. Bhola Singh @ Bhola Mahto Son of Late Panchi Mahto
7. Pankaj Kumar Mukhiya @ Mukesh Mukhiya Son of Fuleshwar Mukhiya
8. Ganesh Kumar Sharma @ Ganesh Thakur Son of Baidhnath Thakur
9. Arbind Kumar @ Arbind Kumar Singh Son of Sampati Mahto
10. Ram Bilash Singh @ Ram Bilash Mahto Son of Late Kari Mahto
11. Dhaneshwar Mukhiya Son of Bikau Mukhiya
12. Ram Prasad Mandal Son of Late Rameshwar Mandal
13. Sukal Sadai Son of Late Prem Sadai
14. Raman Kumar Mahto Son of Bhola Mahto
15. Sunil Singh Son of Rajendra Singh
16. Bachchelal Mukhiya Son of Kusheshwar Mukhiya
17. Sita Ram Mukhiya Son of Bache Lal Mukhiya
18. Fuleshwar Mukhiya Son of Late Bikau Mukhiya
19. Jokhan Paswan Son of Sube Lal Paswan
20. Hirdaya Narayan Mahto Son of Late Bhadu Mahto
21. Satya Narayan Sadai Son of Boku Sadai
22. Chandeshwar Prasad @ Chandeshwar Prasad Singh Son of Yugti Lal Singh .
23. Mithu Sadai Son of Late Madhuri Sadai
24. Badri Mahto Son of Mangal Mahto
25. Parmeshwar Singh Son of Late Mungi Lal Singh
26. Fusiyaahi Sadai Son of Late Madhuri Sadai
27. Sundar Mahto @ Sundar Kumar Singh Son of Hirday Narayan Mahto
28. Rajendra Singh @ Rajendra Prasad Singh Son of Late Mungi Lal Singh
29. Sunil Mukhiya @ Sunil Kumar Mukhiya Son of Fuleshwar Mukhiya

All are resident of Village-Sainidih, P.S-Phulparas, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar Bihar



... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav
For the Opposite Party/s : Mr.Satyavrat Verma

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

4 26-06-2020 Heard learned counsel for the petitioner and Mr. Satyavrat Verma, learned APP for the State.

Earlier vide order dated 04.03.2020, the application with respects to petitioner nos. 5, 7, 8, 12, 13, 16, 17, 24 and 28 have been dismissed as withdrawn by a Bench of this Court.

The rest of the petitioners seek bail in anticipation of their arrest in connection with Phulparas P.S. Case No. 207 of 2019 dated 08.06.2019 instituted for the offences under Sections 143, 341, 342, 332, 333, 337, 353, 307, 109, 427 and 504 of the Indian Penal Code.

The petitioners are alleged to be the members of mob, who had assembled on the national highway for protesting against the death of a person. When the police party had arrived to disperse the mob, the police was also attacked by the aforesaid persons.

It has been on behalf of the petitioners that



they have been named in the First Information Report without any specific accusation against them.

Mr. Satyavrat Verma, learned APP has however, submitted that though the petitioners are members of the mob but petitioners no. 19 and 22 have been alleged to have incited the mob for aggressive action.

However, regard being had to the nature of accusation against the petitioners and the fact that they are persons of clean antecedents, the petitioner no. 1/ Rajdeo Singh @ Rajdev Mahto, petitioner no. 2 / Rajesh Kumar Singh @ Rajesh Kumar Mahto, petitioner no. 3 / Parikshan Singh @ Parikshan Mahto, petitioner no. 4/ Umesh Prasad Singh @ Umesh Mahto, petitioner no. 6 / Bhola Singh @ Bhola Mahto, petitioner no. 9/ Arbind Kumar @ Arbind Kumar Singh, petitioner no. 10/ Ram Bilash Singh @ Ram Bilash Mahto, petitioner no. 11/ Dhaneshwar Mukhiya, petitioner no. 14/ Raman Kumar Mahto, petitioner no. 15/ Sunil Singh, petitioner no. 18/ Fuleshwar Mukhiya, petitioner no. 19/ Jokhan Paswan, petitioner no. 20/ Hirdaya Narayan Mahto, petitioner no. 21/ Satya Narayan Sadai, petitioner



no. 22/Chandeshwar Prasad @ Chandeshwar Prasad Singh,
petitioner no. 23 Mithu Sadai, petitioner no. 25 /
Parmeshwar Singh, petitioner no. 26/ Fusiya Sadai,
petitioner no. 27/ Sundar Mahto and petitioner no. 29 /
Sunil Mukhiya @ Sunil Kumar Mukhiya are directed to be
released on bail, in the event of their arrest or surrender
before the court below within a period of six weeks from the
date of receipt / production of a copy of this order, on
furnishing bail bonds of Rs. 10,000/- (Rupees Ten
Thousand) with two sureties of the like amount each to the
satisfaction of learned Additional Chief Judicial Magistrate
-II, Jhanjharpur, Madhubani, in connection with Phulparas
P.S. Case No. 207 of 2019, subject to the condition laid
down under Section 438 (2) of the Code of Criminal
Procedure.

(Ashutosh Kumar, J)

sunilkumar/-

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