

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 86500 of 2019

Arising out of PS Case No.-207 Year-2019 Thana-Phulparas District-Madhubani

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1. Baidyanath Thakur, aged about 45 years, male, Son of Bhola Thakur.
 2. Bijay Mandal, aged about 25 years, male, Son of Ram Prasad Mandal.
 3. Surya Narayan Mukhiya, aged about 63 years, Son of Kusheshwar Mukhiya.
 4. Sarsij Kumar Singh, aged about 36 years, male, Son of Sitaram Mahto.
 5. Hiralal Mandal, aged about 55 years, male, Son of Late Yugeshwar Mandal.
- All R/o Village-Sainidih, P.S.-Phulparas, District-Madhubani.

.....Petitioner/s

Versus

The State of Bihar

.....Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Gagan Deo Yadav, Adv.

For the State : Md. Aslam Ansari, APP

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CORAM : HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

05/- 03.09.2020

Heard Mr. Gagan Deo Yadav, learned Advocate for the
petitioners and Md. Aslam Ansari, learned APP for the State.



The petitioner Nos. 1 to 5 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.

From the perusal of the F.I.R., it appears that about one hundred fifty persons had blockaded the National Highway No. 57 by keeping the dead-body of one Jai Ram Mukhiya on the road. When the police personnel arrived to dispel the mob, they were attacked.

The petitioners though have been named in the F.I.R., but nothing specific has been attributed against them. There is no specific allegation against the petitioners and only because they happened to be the by-standers, they have been made accused in this case. The names of the petitioners have been provided to the informant by the local *Chowkidar*, who has definite axe to grind against them. Nobody also appears to have been injured in the occurrence.



Regard being had to the facts afore-stated, the petitioner Nos. 1 to 5 above-named, in the event of their arrest/surrender before the Court below within a period of eight weeks from today, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Jhanjharpur, Madhubani in connection Phulparas P.S. Case No. 207 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J.)

Praveen-II/-

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