

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.862 of 2020

Arising Out of PS. Case No.-235 Year-2019 Thana- BARGAINIA District- Sitamarhi

1. Bhupnarain Mahto, aged about 45 years, Male, Son of Late Kailash Mahto
2. Supindra Paswan @ Sugindra Paswan, aged about 55 years, Male, Son of Harchan Paswan
3. Ajay Kumar, aged about 45 years, Male, Son of Ram Lal Sah
4. Prabhu Patel, aged about 44 years, Male, Son of Suraj Patel
5. Dinesh Baitha, aged about 36 years, Male, Son of Vigan Baitha
6. Mithlesh Baitha, aged about 20 years, Male, Son of Premsagar Baitha
7. Ashok Kumar Sah, aged about 55 years, Male, Son of Ram Lal Sah
8. Ram Udai Paswan, aged about 36 years, Male, Son of Shivnandan Paswan
9. Nitish Paswan @ Nitish Kumar Paswan @ Nitish Kumar, aged about 22 years, Male, Son of Rambharosh Paswan
10. Vinay Kumar, aged about 50 years, Male, Son of Ram Lal Sah
11. Maujelal Paswan, aged about 35 years, Male, Son of Lakhindra Paswan
12. Rupan Paswan, aged about 52 years, Male, Son of Gadag Paswan
13. Rambhu Paswan, aged about 50 years, Male, Son of Jageshwar Paswan
14. Nagendra Paswan, aged about 44 years, Male, Son of Gadan Pasan
15. Ajay Paswan, aged about 25 years, Male, Son of Bachhu Paswan, all residents of Village - Patahi, P.S.- Bairgania, Distt - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate
For the Opposite Party/s : Mr.Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 25-02-2020 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection
with Bairgania P.S. Case No. 235 of 2019 registered for the



offences punishable under Sections 147, 148, 149, 188, 333, 353, 335, 338, 323, 324, 307, 504 of the Indian Penal Code and Section 3 of Bihar Contract of the used Play of Loudspeaker Act,1955.

The accused is that informant, Anil Kumar Sharma, being the Inspector of Police of Riga Circle, Sitamarhi, was deputed to discharge the duty at the occasion of Durga Puja. While he was on duty, then, received information to the effect that the procession of village Patahi is passing through village Baheri where Akash Kumar and Mukesh Kumar tried to outrage the modesty, due to that reason there is tension in villages Patahi and Baheri, thereafter, the informant along with other police personnel, reached there, then, saw that in spite of prohibition in the procession, the D.D. (disk jockey) band was being played. In the procession of Patahi Durga Puja Committee Sugendra Paswan (President), Awadesh Singh (Secretary) and Ajay Kumar (Cashier), along with 45 others named persons and 250-300 unknown persons, were present and also indulged in committing the marpeet through lathi and stick. While the police party tried to pacify the matter, but, brick-patting and stone pelting started.

Learned counsel for the petitioners submits that the petitioners are named in the F.I.R., but no overt act has been



attributed against the petitioners. The petitioners have no criminal antecedent. The co-accused have been granted anticipatory bail by the Co-ordinate Bench of this Court vide order dated 03.02.2020 passed in Cr. Misc. No.1068 of 2020 and order dated 14.02.2020 passed in Cr. Misc. No.84847 of 2019.

In the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Sitamarhi in connection with Bairgania P.S. Case No. 235 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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