

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6475 of 2020

Arising Out of PS. Case No.-924 Year-2019 Thana- FORBESGANJ District- Araria

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1. MURARI THAKUR S/o Manoj Thakur Resident of Village- Thila Mohan, P.S.- Forbesganj (Simraha), Distt- Araria.
 2. Jitender Thakur Son of Late Indranand Thakur Resident of Village- Thila Mohan, P.S.- Forbesganj (Simraha), Distt- Araria.
 3. Arbind Thakur Son of Late Indranand Thakur Resident of Village- Thila Mohan, P.S.- Forbesganj (Simraha), Distt- Araria.
 4. Rajesh Thakur Son of Bidyanand Thakur Resident of Village- Thila Mohan, P.S.- Forbesganj (Simraha), Distt- Araria.
 5. Manoj Thakur Son of Upender Thakur Resident of Village- Thila Mohan, P.S.- Forbesganj (Simraha), Distt- Araria.
 6. Santosh Thakur S/o Late Naresh Thakur Resident of Village- Thila Mohan, P.S.- Forbesganj (Simraha), Distt- Araria.
 7. Devsharan Das S/o Paneb Das Resident of Village- Thila Mohan, P.S.- Forbesganj (Simraha), Distt- Araria.
 8. Pappu Das Son of Sadanand Das Resident of Village- Thila Mohan, P.S.- Forbesganj (Simraha), Distt- Araria.
 9. Ashok Kumar Mandal @ Ashok Mandal S/o Ramesh Mandal Resident of Village- Thila Mohan, P.S.- Forbesganj (Simraha), Distt- Araria.
 10. Nityanand Mandal S/o Daven Mandal Resident of Village- Thila Mohan, P.S.- Forbesganj (Simraha), Distt- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Mandal

For the Opposite Party/s : Mr.Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 23-06-2020 The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.



Heard learned counsel for the petitioners and learned counsel for the State.

Petitioners apprehend their arrest in a case registered under Sections 147, 148, 149, 341, 342, 323, 325, 307, 337, 338, 379, 504 of the Indian Penal Code.

Informant has alleged in his written complaint that while he and his cousin brother were going to purchase Ayurvedic medicines, some persons caught them and started assaulting them on suspicion that they are child thieves. Subsequently, 5-7 thousand persons gathered there. On such information, police party reached the place of occurrence and took them in custody. In this case, 51 persons named in the FIR were arrested and 500 unknown persons attacked on the apprehended persons when the police personnel went to the place of occurrence in order to maintain law and order situation.

It has been submitted on behalf of petitioners that they are innocent and have been falsely implicated in this case. Petitioners are only members of mobs of 500 persons. Similarly placed 13 co-accused persons have been granted anticipatory bail by a co-ordinate Bench of this Court passed in Cr. Misc. No. 8167 Of 2020 vide order dated 03.03.2020. Petitioners have no criminal antecedents.



Considering the facts and circumstances of the case, prayer of anticipatory bail is allowed and petitioners named above in the event of arrest or surrender before the court below within four weeks from today, Petitioners are directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with Forbesganj P.S. Case No. 924 of 2019, vide G.R. No. 3522 of 2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and their absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel their bail bond.

(3) If the petitioners tampers with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for
cancellation of bail of the petitioners.

(S. Kumar, J)

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