

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35090 of 2020

Arising Out of PS. Case No.-102 Year-2019 Thana- ROH District- Nawada

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1. Md. Baban @ Babban, male, aged about 40 years, S/o Late Sultan Mian @ Sultan Ahmad
 2. Md. Amir @ Md. Arim, male, aged about 22 years, S/o Md. Hasrat
 3. Md. Kallu @ Kalu, male, aged about 21 years, S/o Md. Mukhtar
- All are resident of Village-Roh, Police Station-Roh in the district of Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Adv.

For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 19-03-2021 Heard Mr. Sunil Kumar, learned Advocate for the

petitioners and Mr. Upendra Kumar, learned APP for the

State.

The petitioners seek bail in anticipation of their
arrest in connection with Roh P.S. Case No. 102 of 2019,
dated 06.07.2019, instituted for the offences under Sections
147, 148, 149, 323, 337, 308, 153(A) and 353 of the



Indian Penal Code.

It has been submitted on behalf of the petitioners that though they have been named in the F.I.R. but only on the basis of the statement provided by the accused persons. Many persons belonging to Hindu-Muslim community were faced eyeball to eyeball and were variously armed. Great efforts were made by the police party to maintain law and order in that circumstance. In order to ensure that nothing untoward happens, some of the members of the mob were arrested.

The learned counsel for the petitioners has submitted that there is no specific accusation against them and they have been named as an accused in another case *vide* Roh P.S. Case No. 100 of 2019, which arises out of the same transaction for which the subject F.I.R. has been lodged. The petitioners had never congregated at the place from where arrests were made but for some reason or the other, their names are mentioned in the F.I.R. in the column of the accused persons.

Regard being had to the facts afore-stated, the



petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of eight weeks, are directed to be released on bail on their furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Nawada in connection with Roh P.S. Case No. 102 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

Praveen-II/-

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