

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28001 of 2020

Arising Out of PS. Case No.-99 Year-2020 Thana- BHAGWANPUR District- Vaishali

1. Rinku Devi, W/o Dilip Ram, Resident of Village, P.O. and P.S.- Bhagwanpur, Ward No. 10, District- Vaishali.
2. Rinku Devi, W/o Mukesh Ram, Resident of Village, P.O. and P.S.- Bhagwanpur, Ward No. 10, District- Vaishali.
3. Dilip Ram, S/o Baldeo Ram, Resident of Village, P.O. and P.S.- Bhagwanpur, Ward No. 10, District- Vaishali.
4. Mukesh Ram, S/o Laldeo Ram, Resident of Village, P.O. and P.S.- Bhagwanpur, Ward No. 10, District- Vaishali.
5. Baldeo Ram, S/o Ramsewak Ram, Resident of Village, P.O. and P.S.- Bhagwanpur, Ward No. 10, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Sinha, Advocate.
For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 02-03-2021 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Bhagwanpur P.S. Case No. 99 of 2020, registered under Sections 147, 148, 149, 323, 341, 342, 307, 353, 332, 333 and 504 of the Indian Penal Code, Section 27 of the Arms Act and later on, Sections 188, 269 and 270 of the Indian Penal Code has been added.

The accusation is that two groups of mob, one led



by Suresh Ram and another led by his wife Annu Devi confined to Sanjiv Kumar, Raju Ram, Basu Ram and Baiju Ram in a house and making attempt to kill them. Thereafter, informant and other police personnel reached there and at any how managed to take the aforesaid four persons in a police jeep safely. At that time, the mob of 25 to 30 ladies led by Annu Devi sat on the road and stopped the police jeep. Thereafter, other extra force tried to convince them but Suresh Ram and his wife Annu Devi ordered to attack then bricks and stones were being pelting, in which, some police personnel sustained injury. At that time, Shivchandra Ram snatched the mobile set from the hand of the informant, Shivji Ram attacked to ASI Subhash Kumar Singh and Dilip Ram (petitioner no. 3) also caused injury through lathi to one ASI Prem Paswan and snatched his wrist watch. At that time, firing was also made from the mob side.

Learned counsel for the petitioners submits that while petitioners are named in the FIR but no specific overt act has been attributed against petitioner nos. 1, 2, 4 and 5. Further submission is that the allegation against petitioner no. 3 is of causing assault to ASI Prem Paswan but there is no injury on his person. In fact, Punam Devi has lodged a case against four



persons named in the FIR, who are said to be confined at the place of occurrence in a house, about causing assault to the family members of Punam Devi. It is further submitted that several FIR named accused have already been granted privilege of pre-arrest bail by a Bench of this Court vide order dated 08.12.2020 passed in Criminal Misc. No. 24402 of 2020. Further submission is that petitioners have no criminal antecedent.

Having regard to the facts and circumstances of the case, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Vaishali at Hajipur, in connection with Bhagwanpur P.S. Case No. 99 of 2020, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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