

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31159 of 2020

Arising Out of PS. Case No.-922 Year-2017 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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1. Tirupati Nath Yadav @ Tirupati Nath S/o Upendra Prasad Yadav Resident of Mohalla-Sahebganj, Police Station-University, District-Bhagalpur.
 2. Md. Meraj Akhtar @ Md. Chand S/o Late Md. Abdul Mobin Resident of Mohalla-Chamelichak, Police Station-Habibpur, District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Yadav

For the Opposite Party/s :

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 19-01-2021 Heard learned counsel for the petitioners and the
counsel appearing on behalf of the State.

Petitioners are apprehending arrest in connection with Kotwali (Tilkamanjhi) P.S. Case No. 922 of 2017 for the offence under sections 147, 148, 149, 353 and 427 of the Indian Penal Code.

Learned counsel for the petitioners submits that the petitioners were involved in protest and as such they have been made accused in this case. They belong to political party and as such it is their birth right to lead procession and protest. If the protest and violation causes any loss to the public the leader involved in the procession should be constructively



responsible.

Considering the aforesaid, while granting bail to the petitioners, the Court is inclined to impose condition so that the protestor may also keep in mind their responsibility as a public not to damage the public property, let the petitioners, named above, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur, in connection with Kotwali (Tilkamanjhi) P.S. Case No. 922 of 2017 subject to the condition that the petitioners shall deposit Rs. 25000/- cash each in the court below and the amount of Rs. 25000/- cash each deposited by the petitioners shall abide by final outcome of the pending criminal case with further condition as laid down under section 438(2) of the Cr.P.C.

(Anil Kumar Upadhyay, J)

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