

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34809 of 2020

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

1. PAPPU KUMAR @ PAPPU DAS Son of Ramashray Das Resident of Village- Bahiri, P.S.- Bairstania, District- Sitamarhi.
2. Rupa Das Son of Late Jogindra Das Resident of Village- Bahiri, P.S.- Bairstania, District- Sitamarhi.

... .. Petitioners.

Versus

The State of Bihar

... .. Opposite Party.

Appearance :

For the Petitioners	:	Mr. Pushpendra Kumar Singh, Advocate.
For the State	:	Mr. Lakshmi Kant Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 26-03-2021 As prayed for, let the learned counsel for the petitioners remove the defect(s), as pointed out by the office vide its notes dated 14.12.2020, within four weeks of starting of the Court proceeding in physical mode in normal course.

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

The petitioners apprehend their arrest in connection with Bairstania P.S. Case No.235 of 2019 registered under Sections 147, 148, 149, 188, 333, 353, 335, 338, 323, 324, 307 and 504 of the Indian Penal Code besides Section 3 of the Bihar Control of the U.S. and Play of Loudspeaker Act, 1955.

The accusation is that the informant and other police personnel received information about the misbehaviour of the



members of the procession, who had proceeded for immersion of idol, then the informant along with other police personnel reached at the place of the occurrence and saw that orchestra was being played in filthy songs and altercation was going on in between two groups of the villages. While the informant along with other police personnel tried to pacify the dispute but they all attacked on the police party.

Learned counsel for the petitioners submits that while the petitioners are named in the F.I.R. but no specific overt act is attributed to them. The petitioners have no criminal antecedents.

Having considered the facts and the circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender by them within six weeks from today, be enlarged on bail on their furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Sitamarhi, in connection with Bairgania P.S. Case No.235 of 2019, subject to the conditions laid down under Section 438(2) Cr.P.C.

(Rajendra Kumar Mishra, J)

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