

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34396 of 2020

Arising Out of PS. Case No.-93 Year-2020 Thana- BIHTA District- Patna

1. Kesri Singh @ Ram Kishore Sharma S/o Late Saran, R/o Village- Neuri, P.S.- Bihta/ Neura, District- Patna.
2. Chandan Kumar @ Chandan Singh A/o Kesri Singh @ Ram Kishore Sharma, R/o Village- Neuri, P.S.- Bihta/ Neura, Dist- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 09-03-2021 Heard learned counsel for the petitioners and learned counsel for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Bihta/Neura P.S. Case No. 93 of 2020 registered for offence punishable under sections 147, 148, 149, 341, 323, 379, 427, 436, 307, 504 and 506 of the Indian Penal Code.

It has been alleged in the FIR that at about 8:30 hours, on the fateful day, under the leadership of Ravindra Kumar Raj @ Timal Singh along with 35 persons came to the shop of the informant with the traditional weapons. Timal, Gautam and Sipul were carrying the loaded gun. They forcibly entered into



the shop of the informant and Timal put the gun on the body of the victim and threatened to kill them. Thereafter, the informant and his son sat down. Gautam asked to put the shop in fire whereupon Sipul and Mantosh sprinkled oil and put the machis, thereby the entire shops were under the flame of the fire.

Learned counsel for the petitioners submits that there is no specific allegation against these petitioners. The petitioners have only been shown as members of the mob and no overt act has been done by them.

Looking to the facts and circumstance of the case, let the petitioners above named, in event of arrest or surrender before the court below within six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Danapur (Patna)/Successor Court in connection with Bihta/Neura P.S. Case No. 93 of 2020, subject to condition that (i) one of the bailors of the petitioners shall be their close relative. (ii) The petitioners will not induce any witness or tamper with the evidence. (iii) Whenever the police would call the petitioners for the purpose of investigation, they would present themselves before the concerned police station and (iv) The petitioners shall



cooperate in the disposal of trial and make themselves available as and when required by the court. In case of failure on two consecutive dates without any valid reason, the court below will be at liberty to cancel the bail bonds of the petitioners.

(Shivaji Pandey, J)

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