

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11561 of 2021

Arising Out of PS. Case No.-171 Year-2020 Thana- BHABHUA District- Kaimur (Bhabua)

1. GAUTAM RAM @ GAUTAM KUMAR MANDAL Son of Shivmohan Ram Resident of Village- Bhekash, P.S.- Bhabua, Dist.- Kaimur at Bhabua.
2. SUNIL RAM @ RAVI KUMAR Son of Shri Ram Resident of Village- Bhekash, P.S.- Bhabua, Dist.- Kaimur at Bhabua.
3. HIRO RAM @ HERO RAM Son of Munna Ram Resident of Village- Bhekash, P.S.- Bhabua, Dist.- Kaimur at Bhabua.
4. RAJU RAM Son of Basdeo Ram Resident of Village- Bhekash, P.S.- Bhabua, Dist.- Kaimur at Bhabua.
5. MUNNA RAM Son of Chandrama Ram Resident of Village- Bhekash, P.S.- Bhabua, Dist.- Kaimur at Bhabua.
6. SHRI RAM Son of Shambhu Ram Resident of Village- Bhekash, P.S.- Bhabua, Dist.- Kaimur at Bhabua.
7. DHANPAL RAM Son of Murat Ram Resident of Village- Bhekash, P.S.- Bhabua, Dist.- Kaimur at Bhabua.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey
For the Opposite Party/s : Mr.APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 15-12-2021 Heard learned counsel for the petitioners and learned
APP for the State.

Learned counsel for the petitioners is expected to
honour his undertaking to remove the defects as pointed out by
the office when called upon to do so by the office.

The instant application for anticipatory bail has been
filed by the petitioners apprehending their arrest in connection



with Bhabua P.S. Case no. 171 of 2020 instituted for the offence under Sections 147, 148, 149, 323, 337, 307 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

As per allegation in the FIR, when the informant along with his co-villagers was enjoying Holi festival, petitioners along with others came there, armed with various weapons and shouted slogans by taking their caste name. Some of the co-accused namely, Prakash Ram, Batari Ram and Vikki @ Shivam Singh have fired gun shot but did not hit any one. 10-15 unknown persons started damaging the temple where the function of Holi was going on and threatened the villagers.

Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have been falsely implicated in this case. General and omnibus allegations have been levelled against them. There is case and counter case. Some of the similarly situated co-accused persons have been enlarged on anticipatory bail by this Court vide order dated 8-12-2021 passed in Cr. Misc. No. 8029 of 2021.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this



Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Bhabua P.S. Case no. 171 of 2020, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-I-Cum-Special Judge, Kaimur at Bhabua subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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