

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29383 of 2021

Arising Out of PS. Case No.-17 Year-2021 Thana- BAIKUNTHPUR District- Gopalganj

1. BHIKHARI MIAN Son of Sahebjan Mian Resident of Village- Mahua, P.S.- Baikunthpur, District- Gopalganj.
2. Moulana Wasi Akhtar Son of Farmud Mian Resident of Village-Murhaghat, P.S.- Kanhouli, District- Sitamarhi.
3. Santosh Kushwaha Son of Ram Nath Kushwaha @ Sah Resident of Village- Mahua, P.S.- Baikunthpur, District- Gopalganj.
4. Manish Sah @ Manish Kumar Son of Ram Nath Sah Resident of Village- Mahua, P.S.- Baikunthpur, District- Gopalganj.
5. Vijay Mahto Son of Keshwar Mahto Resident of Village- Mahua, P.S.- Baikunthpur, District- Gopalganj.
6. Vinay Mahto Son of Kisna Mahto Resident of Village- Mahua, P.S.- Baikunthpur, District- Gopalganj.
7. Umesh Manjhi Son of Dadibal Manjhi Resident of Village- Mahua, P.S.- Baikunthpur, District- Gopalganj.
8. Dinanath Mahto Son of Ramelo Mahto Resident of Village- Mahua, P.S.- Baikunthpur, District- Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandan Kumar Kashyap

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

4 29-01-2022 The learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard the learned counsel for the petitioners and learned APP for the State through video conferencing.

The petitioners apprehend their arrest for the



offences alleged under Sections 147, 148, 188, 353, 323 and 341 of the Indian Penal Code, registered in connection with Baikunthpur P.S.Case No.71 of 2021.

As per the allegation made in the FIR, two persons lost their lives in a road accident. The public in protest of that accident, jammed the road and also damaged the vehicles. On this information, the informant who is Circle Officer, along with the police party went there. They tried their level best to persuade the mob, who initially were not ready, but after some persuasion the jam was removed.

The learned counsel for the petitioners has submitted that the mob was peacefully protesting against the death of two persons who lost their lives in an accident.

In the FIR, there is nothing which shows that any person has sustained any injury in that protest.

Considering the facts and circumstances, let the petitioners above-named, in the event of their arrest or surrender within four weeks from the date of communication of this order, be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Gopalganj, Sri Uday Pratap in connection with Baikunthpur P.S.Case No.



17 of 2021, subject to the conditions as laid down under Section 438(2) Cr. P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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