

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29112 of 2021**

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

1. MODAL MANJHI Son of Dharichan Manjhi Resident of Village- Mahua, P.S.- Baikunthpur, District- Gopalganj.
2. Ramesh Manjhi Son of Modal Manjhi Resident of Village- Mahua, P.S.- Baikunthpur, District- Gopalganj.
3. Arun Kumar @ Arun Manjhi Son of Barjal Manjhi Resident of Village- Mahua, P.S.- Baikunthpur, District- Gopalganj.
4. Ganesh Manjhi Son of Modal Manjhi Resident of Village- Mahua, P.S.- Baikunthpur, District- Gopalganj.
5. Chandeshwar Mahto @ Chaneswar Mahto Son of Shiv Charan Mahto Resident of Village- Mahua, P.S.- Baikunthpur, District- Gopalganj.
6. Shailesh Mahto @ Shailesh Kumar Chauhan Son of Shiv Pujan 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.Dhramveer
For the Opposite Party/s : Mr.Shantanu Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 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.

At the outset, the learned counsel for the petitioners has submitted that due to clerical mistake in the address portion of petitioner no.2 Ramesh Manjhi, the district



has been shown as Sitamarhi in place of Gopalganj. It is amended accordingly.

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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