

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34938 of 2021

Arising Out of PS. Case No.-37 Year-2017 Thana- BOCHAHAN District- Muzaffarpur

1. NANTUN MISHRA @ ANIL KUMAR MISHRA @ ANIL MISHRA S/o- GANGA MISHRA Resident of Villge- Brahetta Hariballabh, P.S.- Bochahan, District- Muzaffarpur.
2. Chunnu Kumar @ Rajeev Kumar S/o Uma Shankar Mishra Resident of Village- Brahetta Hariballabh, P.S.- Bochahan, District- Muzaffarpur.
3. Vijay Mishra @ Vijay Kumar Mishra S/o Nawal Mishra Resident of Village- Brahetta Hariballabh, P.S.- Bochahan, District- Muzaffarpur.
4. Kaushal Kishore Mishra @ Kaushal Singh @ Kaushal Kishore Singh @ Kaushal Mishra S/o Late Ram Bachchan Mishra Resident of Village- Brahetta Hariballabh, P.S.- Bochahan, District- Muzaffarpur.
5. Kameshwar Mahto S/o Sakari Mahto Resident of Village- Brahetta Hariballabh, P.S.- Bochahan, District- Muzaffarpur.
6. Chandeshwar Pa. @ Chandeshwar Paswan S/o Late Amrit Paswan Resident of Village- Brahetta Hariballabh, P.S.- Bochahan, District- Muzaffarpur.
7. Umashankar Mishra S/o Madan Mishra Resident of Village- Brahetta Hariballabh, P.S.- Bochahan, District- Muzaffarpur.
8. Indal Kumar Manjhi @ Indal Manjhi S/o Bishwanath Manjhi Resident of Village- Brahetta Hariballabh, P.S.- Bochahan, District- Muzaffarpur.
9. Santosh Kumar Mishra @ Raju @ Raju Mishra S/o Kaushal Mishra Resident of Village- Brahetta Hariballabh, P.S.- Bochahan, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Anand, Advocate
For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 21-01-2022 Heard Mr. Chandra Shekhar Anand, learned Advocate for the petitioners and Mr. Dr. Kumar Uday Pratap learned APP for the State.

The petitioners seek bail in anticipation of their



arrest in connection with Bochahan P.S. Case No. 37 of 2017 dated 06.03.2017 instituted for the offences under Sections 147, 148, 188, 283, 307, 332, 333 and 353 of the Indian Penal Code and Sections 3, 4 and 5 of the Essential Service Maintenance Act.

Though the petitioners have been named in the FIR amongst 50 named and 50 other un-named accused persons but nothing specific has been alleged against them. A public road was blockaded in protest of the killing of one Md. Israil in a road accident.

When the police party had arrived to disperse the crowd and open the traffic, the police party was attacked by the persons who had congregated at that place. Some of the members of the armed police were also injured.

The learned counsel for the petitioners has submitted that merely because the petitioners hail from same area and are in some way or the other connected with Israil (the deceased), they have been named in the FIR.

In the absence of any specific accusation against them and they being persons of clean antecedents, the petitioners are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the



date of receipt/production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Muzaffarpur in connection with Bochahan P.S. Case No. 37 of 2017, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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