

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61160 of 2023

Arising Out of PS. Case No.-93 Year-2022 Thana- MADHEPURA District- Madhepura

1. JAMILUR RAHMAN, SON OF MD. FAIYAZ, aged about 43 years, Male,
 2. MD. SHOEB @ MD. SAIYUB @ MOHAMMAD SHOYEB, SON OF MD. SAIYADUR RAHMAN, aged about 50 years, Male,
 3. MD. AWESH @ MD. OWESH, SON OF MD. SAIYADUR RAHMAN, aged about 50 years, Male,
- All are RESIDENTS OF VILLAGE -MAHESHUA, WARD NO 9, PS-MADHEPURA (BHARRAHI OP), DISTT- MADHEPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rupesh Kumar, Advocate

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

3 20-12-2023 Heard Mr. Rupesh Kumar, learned counsel appearing on behalf of the petitioners and Mr. Umeshanand Pandit, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Madhepura (Bharrahi O.P.) P.S. Case No. 93 of 2022 dated 01.02.2022 registered for the offence(s) punishable under Sections 341,323, 353, 504, 427, 506 and 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the officials of North Bihar Power Distribution Holding Company Limited, Branch, Madhepura were assaulted by a mob, in which the



petitioners were also members of the said mob. Specific allegation against the petitioners are that they instigated the mob and they had assaulted the officials, who were on official duty.

4. Learned counsel appearing on behalf of the petitioners submitted that there is general and omnibus allegation against the petitioners. It is further submitted that officials of the company were demanding bribe for installation of meter from the petitioners and on refusal of the same, the false case has been lodged against the petitioners. Petitioners have clean antecedents.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made in the FIR as well as the fact that no injury has been caused to the officials of the company, I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned Sessions Judge, Madhepura in connection
with Madhepura (Bharrahi O.P.) P.S. Case No. 93 of 2022,
subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

(Purnendu Singh, J)

Sanjay/-

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