

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42749 of 2016

Arising Out of PS.Case No. -335 Year- 2015 Thana -GORAUL District- VAISHALI(HAJIPUR)

1. Ramesh Kumar S/o Munshi Rai resident of village - Narainpur  
Bedauliya, P.S. Goraul, District Vaishali

.... .... Petitioner/s

Versus

1. The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Chandra Mauli Chaurasia, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, A.P.P.

**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

2 30-09-2016

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Goraul P.S.Case No. 335 of 2015 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 353, 307, 332, 427 and 504 of the Indian Penal Code and 3/4 of the Damage to Public Property Act.

The prosecution case, in brief, is that a mob of 100-150 persons blocked N.H.-77. The informant, being a police Officer, made sanha diary entry and sent information to his superior officers and reached the spot and learnt that since Ajay Kumar, who was accused in Goraul P.S.Case No. 334 of 2015, was killed, hence the road was blocked. The mob pelted stones

and made assault as a result whereof the police personnel received injuries.

It has been submitted by the learned counsel for the petitioners that there was a mob of 100 to 150 people and 12 persons named in the F.I.R. including the petitioner. He submits that there is no specific allegation against the petitioner and allegations are general and omnibus. He also submits that the injury on the police party can not be attributable solely on the petitioner, as there was a mob attack. He further submits that the petitioner has no criminal antecedent and that one of the other accused persons, named in the F.I.R., has since been granted privilege of anticipatory bail by a co-ordinate Bench of this Court passed in Cr. Misc. No. 20168/2016 dated 06.05.2016.

However, learned A.P.P. for the State submits that petitioners are named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since the allegations are general and omnibus and there is a mob attack and similarly situated co-accused has already been granted the privilege of bail, let the petitioner, named above, in the event of his arrest or surrender before the learned Court below within a period of eight weeks from today, be released on bail on furnishing bail bonds of Rs.

10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, Vaishali at Hajipur in connection with Goraul P.S.Case No. 335 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Nilu Agrawal, J)**

Sudha/-

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