

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.35830 of 2016**

Arising Out of PS.Case No. -688 Year- 2016 Thana -SASARAM NAGAR District- SASARAM  
(ROHTAS)

- =====
1. Sanjay Kumar Gupta @ Sanjay Son of Late Jag Narain Prasad Gupta  
Resident of Mohalla- Gandhi Nagar, Police Station- Sasaram, District-  
Rohtas.
2. Dablu Singh @ Dublu Son of Bijendra Singh Resident of Mohalla- New  
Area Sasaram, Police Station- Sasaram, District- Rohtas.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Dhanendra Chaubey

For the Opposite Party/s : Mr. Sri Shailendra Kumar -1

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR  
SINGH**  
ORAL ORDER

2      05-09-2016                      Heard learned counsels for the petitioners and the State.

The petitioners are apprehending arrest in a case  
registered for the offences punishable under Sections  
147,149,341,384,427,504 and 506 of the Indian Penal Code and  
27 of the Arms Act.

The prosecution case is that the measurement work of  
the lands pertaining to Plot nos. 996 and 998 of Khata No. 194  
was going on since last two days when on 15.6.2016 the accused  
persons including the petitioners came and assaulted the labourers.  
It is alleged that co accused Madhav, Arjun, Rajesh, Prashant and  
Raj Hans resorted to fire in air and dismantled the pillars.



It is submitted by the learned counsel for the petitioners that the accusation is omnibus and general and the accusation of firing is not against the petitioners. Statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent though the impugned order reflects that paragraphs 23,24 and 25 contain the criminal antecedent of the petitioners but statement has been made in paragraph 18 of the petition that the same is an error of record which reads as follows:

“That in the impugned order it has been mentioned in para 23,24, 25 of the Case Diary about the Criminal history of accused persons but the fact is that these petitioners have no criminal antecedent.”

Considering the accusation being omnibus and general and prima facie it appears that no injury was caused to the informant side, let the above named petitioners be released on provisional anticipatory bail for three months in the event of arrest or surrender before the learned Court below within a period of six weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned CJM, Sasaram in connection with Sasaram Town P.S. Case No.688 of 2016 subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioners will be confirmed if, on perusal of records, it appears that the petitioners have no criminal antecedent but if it is found that the petitioners have criminal antecedent then the petitioners will surrender and pray for regular bail.

**(Dinesh Kumar Singh, J)**

Anil/-

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