

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3937 of 2019

Arising Out of PS. Case No.-282 Year-2018 Thana- UCHKAGAON District- Gopalganj

1. Manoj Kumar Yadav, aged about 32 years, Gender-Male, S/O Sri Parash Choudhary.
 2. Ramadhar Yadav, aged about 40 years, Gender-Male, S/O Late Bahadur Yadav.
 3. Balister Yadav, aged about 40 years, Gender-Male, S/O Late Bahadur Yadav.
 4. Munna Alam, aged about 26 years, Gender-Male, S/O Nazir Miyan.
 5. Harendra Sah, aged about 50 years, Gender-Male, S/O Late Bhola Sah.
 6. Rajendra Sah, aged about 50 years, Gender-Male, S/O Late Sagar Sah.
 7. Amarjeet Sah @ Amar Jeet Kumar Sah, aged about 25 years, Gender-Male, S/O Sipahi Sah.
 8. Raj Kumar Singh, aged about 35 years, Gender-Male, S/O Babban Singh.
 9. Sharda Lal Baitha @ Sharda Baitha, aged about 45 years, Gender-Male, S/O Bhim Baitha.
 10. Jaglal Yadav @ Jaglal Choudhary, aged about 40 years, Gender-Male, S/O Late Bahadur Chaudhary.
 11. Upendra Pandey, aged about 45 years, Gender-Male, S/O Paspati Pandey.
 12. Mundrika Baitha, aged about 50 years, Gender-Male, S/O Late Balina Baitha.
- All are resident of Village-Chhotaka Shankhe, P.S-Uchakagaon, Distt.-Gopalganj.

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr.Kundan Kumar Singh, Advocate.
For the Opposite Party	:	Mrs. Meena Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 29-01-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners are apprehending their arrest in a
case for the offence registered under Sections 147, 148, 149,
327, 337, 338, 307, 427, 504 and 353 of the IPC.

The prosecution story, in brief, is that on



03.11.2018, the Chowkidars deputed at Shyam Bazaar informed the informant-S.I. Uchakagaon P.S. through mobile that an exchange of brick-batting is going on in between the people of Chhotaka Shankhe and Shyampur Bazaar and the situation is terrible. Whereupon, he alongwith police force rushed to the place of occurrence and found that an exchange of brick-batting was going on from both the sides and he and other police officer and police force tried to take the situation under control, but both sides were adamant to take away the life to each other having armed with deadly weapon. In that course, S.I. Uchakagaon P.S. sustained serious injury on his head by brick. In the meantime, he saw that some people of Shyampur Bazaar were taking away the Mukhiya Laxman Chaudhary towards darkness with intention to kill him and then anyhow he saved his life. Thereafter, on information, police personnel of nearby P.S. arrived there then crowd became more aggressive and started pelting brickbats upon the police personnel and police personnel saved their life by escaping from there. In that course, properties of shop-keepers were damaged. Thereafter, on the identification of Chowkidars, 35 named and 100 unknown persons were made accused in this case in the allegation of making hindrance in discharging public duty, damaging public



property, trying to disturb the law and order and committing murderous attempt.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. As per F.I.R., brick-batting had taken place between the residents of two villages. General and omnibus allegation has been made against the petitioners. No specific overt act has been alleged against the petitioners and others. Altogether 35 known alongwith 100 unknown persons have been named in the F.I.R.

On behalf of the learned counsel for the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate-IXth, Gopalganj, in connection with Uchakagaon P.S. Case No. 282 of 2018, subject to the



conditions as laid down under Section 438(2) of the Code of
Criminal Procedure.

(Sudhir Singh, J)

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