

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15316 of 2019

Arising Out of PS. Case No.-249 Year-2018 Thana- NADI P.S. District- Patna

-
1. Mani Bhushan @ Ghappu, Son of Shashi Bhushan Ray.
 2. Pankaj Kumar, Son of Devendra Ray.
 3. Sonu Kumar, Son of Samepal Ray.
All are Residents of Village- Jethuli, P.S.- Nadi, District- Patna.
 4. Vikash Kumar, Son of Naresh Sah, Resident of Village Mohammadpur, P.S.-
Didarganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad
For the Opposite Party/s : None

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 12-03-2019 Heard learned counsel for the petitioners. No one appears on behalf of the State to oppose this application.

Petitioners are seeking anticipatory bail in connection with Special Case No.11539 of 2018, arising out of Nadi P.S. Case No. 249 of 2018, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 353, 337, 338, 427, 431, 224 and 225 of the Indian Penal Code and Sections 34 and 37© of the Bihar Prohibition and Excise Act, 2016.

Learned counsel for the petitioners submits that the petitioners have been named in the FIR on mere suspicion. They were not the members of the mob and had not participated in the



crime. It is submitted that there is no specific allegation against the petitioners. It is submitted that the similarly situated persons have been granted privilege of anticipatory bail by a learned coordinate Bench of this Court in Cr.Misc.No.12389 of 2019.

On perusal of the records, this Court finds that there are allegations against petitioner no.1 that he was in drunken condition and when he was being taken to police station and the police party reached on the main road all of sudden the named accused persons came there lashed with weapons and surrounded the Gypsy, damaged the same and assaulted the police personnel. The petitioner no.1 fled away in the mob. Considering this aspect of the matter, this Court is not inclined to grant privilege of anticipatory bail to the petitioner no.1. His prayer for anticipatory bail is, thus, refused.

So far as petitioner nos.2 to 4 are concerned, their case is similarly situated with that of petitioners in Cr.Misc.No.12389 of 2019. Thus, in order to maintain uniformity in justice, let in case of arrest or surrender of the petitioner nos. 2 to 4 within a period of four weeks from today, the abovenamed petitioners be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) each with two sureties of the like amount each to the satisfaction of the learned



Special Judge, Excise, Patna in connection with Special Case No.11539 of 2018, arising out of Nadi P.S. Case No. 249 of 2018, subject to the condition that they shall join the investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation. This will be in addition to condition prescribed under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

arvind/-

U		T	
---	--	---	--

