

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16159 of 2019

Arising Out of PS. Case No.-250 Year-2017 Thana- DORIGANJ District- Saran

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1. Shiwajee Ray, Son of Late Ramlakhan Ray, Resident of Village- Driyaw Ganj, Badalpura, P.S.- Doriganj, Distt.- Saran
 2. Satya Narain Ray, S/o Ram Dayal Ray, Resident of Village- Driyaw Ganj, Badalpura, P.S.- Doriganj, Distt. - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh

For the Opposite Party/s : Mr.Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 15-03-2019 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, 148, 149, 188, 341, 383, 353, 332, 333, 307 and 120B of the IPC.

The prosecution case, as per the written report of A.S.I., Kapildeo Ram, dated 11.12.2017 submitted to the Station House Officer, Doriganj Police Station, is to the effect that in pursuance to the order of the State Government and High Court, the police personnel and other officials of the administration were shifting the sand, which was stored after illegal mining, in the meantime, a mob of more than 150 persons made protest and



mishandled the police personnel and other officials of the administration, leading to registration of FIR against 100 known persons including the petitioners.

It is submitted by learned counsel for the petitioners that the accusation against the petitioners is omnibus and general. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent. Moreover, similarly situated co-accused Sudhir Kumar Rai has been granted privilege of anticipatory bail by a Co-ordinate Bench of this Court, vide order dated 05.04.2018, passed in Cr. Misc. No. 17731 of 2018.

Learned APP submits that the petitioners are named in the FIR with specific accusation.

Considering the fact that accusation against the petitioners is omnibus and general and similarly situated co-accused person has been granted privilege of anticipatory bail by a Co-ordinate Bench of this Court, coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.



10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned ACJM-VII, Saran, Chapra in connection with Doriganj P.S. Case No. 250 of 2017, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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