

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74342 of 2018

Arising Out of PS. Case No.-78 Year-2018 Thana- RAJAPAKAR District- Vaishali

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1. Om Prakash Singh, Son of Late Rajendra Singh
 2. Ajay Kumar Singh, Son of Late Rajendra Singh
 3. Arun Kumar, Son of Lakhan Singh
 4. Anil Kumar Singh @ Anil Kumar, Son of Ram Babu Singh
 5. Mintu Kumar @ Mintu @ Mantu @ Pintu Kumar Singh, Son of Ram Bhag Singh
 6. Bansilal, Son of Jadu Nandan Singh
 7. Birendra Singh @ Birendra Kumar, Son of Lalan Singh @ Lagan Singh, All Resident of Village- Kashipur Yadav Tola, P.S.- Rajapakar, District-Vaishali.
- Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar, Adv.

For the Opposite Party/s : Mr. Matloob Rab, APP.

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 10-01-2019 Heard learned counsels for the petitioners and State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 364, 365 of the IPC.

The prosecution case, as per the written report of Chaukidar, Harendra Paswan, dated 14.05.2018, submitted to the Station House Officer, Rajapakar Police Station, is to the effect that on 13.05.2018 at 9 P.M., during patrolling, the informant received an information that one truck has met with an accident, when he reached there he found an injured person, who was subsequently taken to the hospital by the police. Thereafter, the informant again received information that nine



accused persons including the petitioners and other 30-40 unknown persons are assaulting the truck driver, when the informant tried to save the truck driver, then all the accused persons took him to different place.

It is submitted by learned counsel for the petitioners that the accusation against the petitioners is omnibus and general. The driver of the truck in question in his statement recorded under Section 164 Cr. P.C., has not named anyone. It is further submitted that only on the basis of suspicion, the petitioners have been roped in the present case. It is further submitted that similarly situated co-accused, Kamlesh Kumar, has been granted privilege of anticipatory bail by a co-ordinate Bench of this Court, vide order dated 20.12.2018, passed in Cr. Misc. No. 75028 of 2018.

Learned APP submits that the petitioners are named in the FIR.

Considering the accusation against the petitioners being omnibus and general and the fact that the truck driver, in his statement recorded under Section 164 Cr. P.C., has not named the petitioners, let the above named petitioner 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 Chief Judicial Magistrate, Vaishali at Hajipur in connection with Rajapakar P.S. Case No. 78 of 2018, 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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