

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28594 of 2019

Arising Out of PS. Case No.-499 Year-2018 Thana- BAKHTIYARPUR District- Patna

SANJAY @ AVINASH @ AVINASH KUMAR Son of Bindeshwari Prasad
Singh Resident of Raghapur, P.O. and P.S.- Bakhtiarpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Acharya, Adv. Mr.S.M. Faisal Sulaiman, Adv.
For the Opposite Party/s :		Mr.Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 01-05-2019 This application, for grant of anticipatory bail, arises out of Bakhtiarpur P.S. Case No. 499 of 2018, disclosing offences under Sections 147, 148, 149, 341, 323, 307, 427, 353, 283 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation as per F.I.R. is that police on information that at Raghapur Maweshi Haat few people are consuming liquor on the land of Mahendra Yadav and Lallu Mukhiya, reached there and found 12 to 15 persons assembled there and upon seeing the police, they all started fleeing away, however, two persons, namely, Ramu Kumar @ Raj Kumar and Pawan Kumar, who were in fully drunken condition were caught and they started scuffle with the police party, however, anyhow the police brought them to police station. Thereafter on same day



150 to 200 assembled and blocked the NH 31 carrying brick and stones and started demanding the release of apprehended persons and petitioner is said to be one of them.

Submission of learned counsel for the petitioner is that though he is named in the F.I.R., no specific allegation has been attributed to him rather only general and omnibus allegation has been attributed and co-accused having similar allegation have already been granted the privilege of anticipatory bail and in this connection learned counsel for the petitioner has also referred some order passed by different coordinate Benches of this Court

Heard learned A.P.P. also.

It appears that earlier the petitioner has moved before this court for grant of anticipatory bail in Cr. Misc. No. 11168 of 2019, which stood dismissed as withdrawn with liberty to the petitioner to move first before appropriate court for grant of anticipatory bail, as the petitioner has directly approached this court without filing any anticipatory bail before the Sessions Judge.

Having heard both sides, in view of the above facts, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within



six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Barh, Patna, in connection with Bakhtiarpur P.S. Case No. 499 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

sunilkumar/-

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

