

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37689 of 2019

Arising Out of P.S. Case No.-24 Year-2018 Thana- BARBIGHA District- Sheikhpora

1. PANKAJ KUMAR SINGH @ PANKAJ KUMAR, aged about 34 years (Male) Son of Radhe Singh Resident of Village - Mirzapur, P.S.- Barbigha, Dist.- Sheikhpora.
2. Ashok Singh @ Ashok Kumar Singh, aged about 47 years, Male, Son of Late Nandkishore Singh Resident of Village - Mirzapur, P.S.- Barbigha, Dist.- Sheikhpora.
3. Jalwa Kumar, aged about 32 years, Male, Son of Chandar Singh Resident of Village - Mirzapur, P.S.- Barbigha, Dist.- Sheikhpora.
4. Vitu Kumar @ Bindu Kumar, aged about 24 years, Male, Son of Sanjay Singh Resident of Village - Mirzapur, P.S.- Barbigha, Dist.- Sheikhpora.
5. Kaju Kumar, aged about 31 years, Male, Son of Bhola Singh Resident of Village - Mirzapur, P.S.- Barbigha, Dist.- Sheikhpora.
6. Vipin Kumar @ Bipin Kumar, aged about 47 years, Male, Son of Radhe Singh Resident of Village - Mirzapur, P.S.- Barbigha, Dist.- Sheikhpora.
7. Sudin Manjhi, aged about 42 years, Male, Son of Baudhmal Manjhi Resident of Village - Mirzapur, P.S.- Barbigha, Dist.- Sheikhpora.
8. Pramod Singh, aged about 44 years, Male, Son of Late Ramay Singh Resident of Village - Mirzapur, P.S.- Barbigha, Dist.- Sheikhpora.
9. Mani Kumar, aged about 21 years, Male, Son of Sanjay Singh Resident of Village - Mirzapur, P.S.- Barbigha, Dist.- Sheikhpora.
10. Chhotu Kumar, aged about 21 years, Male, Son of Vijendra Mahto Resident of Village - Mirzapur, P.S.- Barbigha, Dist.- Sheikhpora.
11. Mantu Kumar, aged about 25 years, Male, Son of Masudan Singh @ Madhusan Singh Resident of Village - Mirzapur, P.S.- Barbigha, Dist.- Sheikhpora.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioners	:	Mr. Pankaj Kumar, Advocate
For the Opposite Party	:	Mr. Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 14-08-2019 Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the State.



The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 353, 307, 504, 506 and 435 of the Indian Penal Code as well as Section 415 of the Prevention of Damage of Public Property Act.

It is alleged that about 80 persons had blocked the road protesting against an accident and when police arrived at the spot, they pelted stones on the police party and torched vehicles.

It is submitted on behalf of the petitioners that there is general and omnibus allegation against all the petitioners. Petitioners no.1 and 6 are also accused in another case while other petitioners have got no criminal antecedent. It is also submitted that similarly situated co-accused persons have already been granted anticipatory bail by a coordinate Bench of this Court in Cr.Misc.No.27376 of 2019 vide order dated 26.04.2019.

Considering the facts aforesaid, let the petitioners no, 2, 3, 4, 5, 7, 8, 9, 10 and 11, namely, Ashok Singh @ Ashok Kumar Singh, Jalwa Kumar, Vitu Kumar @ Bindu Kumar, Kaju Kumar, Sudin Manjhi, Pramod Singh, Mani Kumar, Chhotu Kumar and Mantu Kumar, in the event of their arrest or



surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura/successor Court in connection with Barbigha P.S.Case No.24 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the petitioners.

So far as petitioner no.1, namely, Pankaj Kumar Singh @ Pankaj Kumar and petitioner no.6, namely, Vipin Kumar @ Bipin Kumar are concerned, learned counsel for the petitioners prays to withdraw their bail prayer, as such, their prayer for anticipatory bail is dismissed as withdrawn.

(Prabhat Kumar Singh, J)

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