

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36556 of 2019

Arising Out of PS. Case No.-18 Year-2019 Thana- BHARGAMA District- Araria

1. SHAMBHU PASWAN Son of Jai Kumar Paswan
 2. Bablu Kumar Son of Nathan Sharma
 3. Sanjay Poddar Son of Bindeshwari Poddar
 4. Suresh Sharma @ Suresh Sutihar, Son of Tanuk Sharma
 5. Bhola Paswan Son of Achchhe Paswan
 6. Rabindra Paswan Son of Bhola Paswan
 7. Dharmendra Paswan Son of Bhola Paswan
 8. Bishan Sharma Son of Raghuni Sharma
- All Resident of Village- Hingwa, P.S.- Bhargama, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha
For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 17-08-2019 The petitioners apprehend their arrest in connection with Bargama P.S.Case No. 18 of 2019 registered under Sections 114, 147, 148, 149, 152, 186, 188, 307, 323, 325, 329, 332, 333, 337, 342, 353, 467, 468, 471,504 and 506 of the Indian Penal Code.

Allegation against the petitioners is that they along with other accused persons were trying to construct a temple upon a Government land, which was being prevented by the informant. It is alleged that 65 named and 400-450 unknown persons assaulted the informant and the police force.

Learned counsel for the petitioners submits that altogether 65 persons have been named in the FIR along with 400-450



unknown persons and the allegation of assault is general and omnibus in nature against the petitioners and others and no specific allegation is there against the petitioners. Learned counsel submits that similarly situated named co-accused persons have been granted anticipatory bail by this Court in Cr.Misc. No. 33303 of 2019.

After having heard learned counsel for the parties and taking into consideration the fact that no specific allegation has been levelled against the petitioners and similarly situated other co-accused persons have been granted anticipatory bail by a *co-ordinate Bench* of this Court, as such I am inclined to grant anticipatory bail to the petitioners. Let the petitioners, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned CJM, Araria in connection with Bhargama P.S.Case No. 18 of 2019; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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