

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36636 of 2019

Arising Out of PS. Case No.-16 Year-2019 Thana- BANSHI District- Jehanabad

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1. MUNNA KUMAR S/o -Shiv Vardhan Singh R/o village- Chamandi, P.S.- Kurtha, District- Arwal
 2. Manish Kumar S/o Bharat Paswan R/o village- Chamandi, P.S.- Kurtha, District- Arwal
 3. Gard Singh @ Vishvanath Singh S/o Yamuna Singh R/o village- Chamandi, P.S.- Kurtha, District- Arwal
 4. Ravindra Singh S/o Late Khabirchand Singh R/o village- Chamandi, P.S.- Kurtha, District- Arwal
 5. Mukhiya Yadav @ Pramod Kumar S/o Chhotan Yadav R/o village- Chamandi, P.S.- Kurtha, District- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath
For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 17-08-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Banshi Police Station Case No. 16 of 2019, disclosing offences under Sections 147, 149, 353, 427, 504, 506 of the Indian Penal Code.

The allegation against the petitioners, as per the First Information Report, is that the police, upon secret information about the illegal manufacturing of illicit liquor by the



petitioners, raided near the bank of River Punpun and destroyed the illicit liquor and jawa mahua etc. It is further alleged that when the police party was returning, the petitioners along with other named accused persons and 10-14 unknown persons, started brick batting upon the police personnel and also vandalized the police jeep. The names of these petitioners transpired on the basis of information given by the Mahal Dafadar.

Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in this case. He further submits that only general and omnibus allegation has been levelled against the petitioners and no injury has been caused to any police personnel. He further submits that similarly situated co-accused persons have been granted bail by this Court by order, dated 19.06.2019, passed in Criminal Misc. No. 36943 of 2019.

After having heard learned Counsel for the parties and taking into consideration the fact that general and omnibus allegation has been levelled against these petitioners and further similarly situated co-accused persons have been granted bail by this Court, I am inclined to grant the petitioners privilege of anticipatory bail. Accordingly, this application is allowed.



Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Chief Judicial Magistrate, Arwal, in connection with Banshi Police Station Case No. 16 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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