

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43922 of 2019

Arising Out of PS. Case No.-120 Year-2019 Thana- BAHERA District- Darbhanga

1. UMESH RAM Son of Tilai Ram Resident of Village - Ghonghiya, P.S.- Bahera, District- Darbhanga
2. Naresh Ram Son of Tilai Ram Resident of Village - Ghonghiya, P.S.- Bahera, District- Darbhanga

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Jha

For the Opposite Party/s : Mr.Amitesh Kumar

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 17-07-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Bahera P.S. Case No. 120 of 2019 for the offence punishable under Sections 147, 149, 341, 323, 337, 379 and 302 of the Indian Penal Code.

As per the case of the prosecution, persons, named in the First Information Report, armed with *lathi* and *danda*. had formed an unlawful assembly. They are said to have assaulted the informant and the family members, as a result of which, the informant's brother died. There are 22 persons named in the First Information Report.

Learned counsel appearing on behalf of the petitioners has submitted that there is general and omnibus



allegation against all the persons and there is no specific allegation against anyone of them including the petitioners.

On perusal of the First Information Report, I find substance in the submission made on behalf of the petitioners that the allegation of assault is general and omnibus in nature against all the persons named in the First Information Report.

Considering the above, this application is allowed.

Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Benipur, Darbhanga, in Bahera P.S. Case No. 120 of 2019, subject to the conditions as 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.

(Chakradhari Sharan Singh, J)

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