

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54975 of 2019

Arising Out of PS. Case No.-334 Year-2019 Thana- PHULWARISHARIF District- Patna

Niraj Kumar, Son of Ashok Kumar Rai Resident of Village- Chak Musa, P.S.-
Phulwari Sharif (Janipur), District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Fahimuddin

For the Opposite Party/s : Mr. Abhay Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 30-08-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Phulwarisharif P.S. Case No.334 of 2019 for the offence punishable
under Sections 147, 149, 341, 323, 189, 427, 379, 504 and 353 of
the Indian Penal Code.

The allegation against the petitioner is that he along with
other accused persons about 20 in number and three unknown
persons were indulged in blocking NG-98 and stopped one vehicle
(bus) bearing No. BR-OR-3127 and the driver of the said bus was
assaulted by the accused persons and they also damaged the bus.

Learned counsel for the petitioner submits that the
allegation against the petitioner is general and omnibus in nature
inasmuch as about 100 unknown persons and 20 named accused
persons were indulged in road blocking as well as damaging of the
vehicle and assaulted the driver of the said vehicle. Learned counsel



further submits that the allegation against the petitioner is not specific in nature and further eight accused persons have been granted bail by this Court in Cr. Misc. No.41511 of 2019.

After having heard learned counsel for the petitioner as well as learned counsel appearing on behalf of the State and taking into consideration the fact that the allegation against the petitioner is not specific and there is general and omnibus allegation against unknown persons and 20 named accused persons and the similarly situated accused persons have been granted bail by this Court, as such, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Judge-XV-cum-Additional Chief Judicial Magistrate, Patna, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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