

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56534 of 2019

Arising Out of PS. Case No.-62 Year-2019 Thana- RAJPUR District- Buxar

1. ARVIND RAI @ ARVIND KUMAR Son of Sri Bhagwan Rai Resident of Village - Jaitpura, P.S.- Rajpur, Dist.- Buxar.
2. Ajay Rajbhar @ Ajay Kumar Son of Bhuneshwar Rajbhar Resident of Village - Jaitpura, P.S.- Rajpur, Dist.- Buxar.
3. Ramadhar Rajbhar Son of Muneshwar Rajbhar Resident of Village - Jaitpura, P.S.- Rajpur, Dist.- Buxar.
4. Dablu Rajbhar @ Jhabbu Kumar Rajbhar Son of Ramnath Rajbhar Resident of Village - Jaitpura, P.S.- Rajpur, Dist.- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Kamal Deo Sharma

For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 11-09-2019 Heard learned Counsel for the petitioners and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Rajpur Police Station Case No. 62 of 2019, disclosing offences under Sections 147/148/149/341/323/307/427/379/436/337/353/504 of the Indian Penal Code.

The allegation against the petitioners is that the petitioners, along with others about 150 in numbers, gathered near the Primary Health Centre and started ransacking the Government property as well as assaulted the informant (doctor)



and other staffs of the hospital.

Learned Counsel for the petitioners submits that there is no specific allegation of any overt act against the petitioners in the First Information Report, in which 40 named and 150 unknown have been alleged to ransacked and created disturbance in the hospital. He further submits that due to the death of two persons allegedly due to the negligence in the treatment by the doctor, the alleged occurrence has taken place. He further submits that the persons, who died due to the negligence in the treatment, were having no relationship with the petitioners and the petitioners are only residing in the village where the Primary Health Centre is situated.

After having heard learned Counsel for the parties and taking into consideration the fact that the allegation against the petitioners is general and omnibus, no overt act has been alleged against the petitioners and the petitioners are having no relationship with the persons, who allegedly died due to lack of treatment, 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 bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Rajpur Police Station Case No. 62 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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