

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58702 of 2019

Arising Out of PS. Case No.-261 Year-2019 Thana- BODHGAYA District- Gaya

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1. Bineshwar Singh @ Bindeshwari Singh Son of Late Baiju Singh
 2. Dhibara @ Dibra @ Chandan Son of Late Kapil Singh
 3. Vicky Singh Son of Mukesh Singh
 4. Karu @ Sheo Shankar Singh Son of Late Kishori Singh
 5. Chhotu Singh @ Niraj Kumar Son of Umesh Singh
 6. Gautam @ Gautam Kumar Gupta Son of Hari Sao
 7. Dharmendra Kumar Son of Late Deocharan Singh
- All are residents of Village - Dhanawan, P.S.- Bodh - Gaya, Distt - Gaya.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate
For the Opposite Party/s : Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-09-2019 Heard learned counsel for the petitioners and learned
APP representing the State.

The petitioners apprehend their arrest in connection with Bodh Gaya P.S. Case No. 261 of 2018, registered under Sections 147, 149, 109, 188, 333, 353 and 427 of the Indian Penal Code and Section 3/4 of Prevention of Damage to Public Property Act.

The allegation against the petitioners, as per FIR, is that petitioners along with other co-accused persons put the road blockage at NH-38 i.e. Gaya-Dobhi Highway and were protesting against the death of the person, it has further been



alleged that the petitioners obstructed the normal movement of vehicles.

Learned counsel for the petitioners submits that the petitioners along with other accused persons and 40-50 unknown persons have been made accused in this case and specific allegation of damage to the public property and creating disturbance has been alleged in the FIR. He further submits that the petitioners are not relatives of the person who had died and the protest was being made by the relatives of the deceased person.

After having heard learned counsel for the parties and taking into consideration the fact that allegation against the petitioners is general and omnibus in nature and it appears that no public property has been damaged by the petitioners, I am inclined to grant anticipatory bail to the petitioners.

This application is, accordingly, allowed.

Let the petitioners, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from today, be released on bail upon furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Bodh Gaya P.S. Case No. 261 of 2019;



subject to condition as laid down under Section 438(2) of the
Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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