

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70885 of 2018

Arising Out of PS. Case No.-74 Year-2018 Thana- HAJIPUR SADAR District- Vaishali

1. SUJEET KUMAR RAI @ SUJEET RAI, Son of Late Bishu Rai @ Bishun Rai
 2. Mithun Kumar @ Mithun Rai, Son of Jalebi Rai
- Both are Resident of Village-Chandralaya, Police Station-Hajipur, Distt.- Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan Sinha
For the Opposite Party/s : Mr. Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 29-01-2019 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners are apprehending their arrest in a case registered under Sections 143, 144, 145, 186, 188, 323, 333, 353, 307, 379, 506, 504 of the Indian Penal Code, and 27 of the Arms Act as well as Section-4/40(8)/BMMC Act and 8(d) of Bihar Mines (Illegal Transporting and Stocking) Prevention Act, 2003.

The prosecution case, in brief, is that while illegally made heap of sand, was being carried under the supervision of administration, the accused persons forming unlawful assembly, started pelting bricks and stones, caused interruption in discharge of public duty.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of



tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. General and omnibus allegation has been made against the petitioner. 58 Persons are named in the FIR alongwith 200 unknown persons. The other co-accused with similar allegation has been granted anticipatory bail by this court vide order dated 05-10-2018 passed in Cr. Misc. No. 53049 of 2018.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory 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, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 74 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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