

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67224 of 2019

Arising Out of PS. Case No.-133 Year-2019 Thana- MUFFASIL District- Aurangabad

1. GAUTAM PASWAN @ GAUTAM KUMAR S/o Birju Paswan R/o village-Badem, Santan Nagar, P.S.- Nabinagar, Badem O.P., District- Aurangabad, at present R/o village- Chandel Bigha, P.S.- Mufassil, District- Aurangabad
2. Ramkali Devi W/o Musafir Ram R/o village- Chandel bigha, P.S.- Mufassil, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh
For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 04-11-2019 Heard both sides.

The petitioners apprehend their arrest in Aurangabad Muffasil P.S. case No. 133/2019 registered under Section 143, 341, 323, 332, 333, 337, 353, 307, 427, 186, 504, 506 of the IPC and u/s 3 of Prevention of Damage to Public Property Act.

The informant, S.I. of Muffasil P.S., alleged that he got information about head on collision of two vehicles on N.H. 139 in which one person died on the spot and three persons got serious injuries. The informant having received such information went to the place of occurrence and found that a pick-up van bearing registration No. BR-26GA-0221 was being driven rashly and negligently and on account of such rash and



negligent driving the pick-up van dashed the Maruti car causing death and serious injuries to the occupants of the Maruti car. It is further alleged that many people, including the petitioners, assembled at the place of occurrence and blocked the road. When the police tried to pacify the matter and remove the blockade of road the petitioners and others are alleged to have pelted stones.

The learned counsel for the petitioners submits that Ranjan Paswan, one of the named accused persons, has already been granted anticipatory bail vide order passed in Cr. Misc. No. 53533 of 2019 and the case of petitioners stands on the same footing. It is further submitted that even though the petitioners are named in the FIR but no specific allegation is made. The petitioners are residents of the nearby village and they had assembled at the place of occurrence to see the accident.

Considering the facts aforesaid and nature of allegation made against the petitioners and the fact that similarly situated accused has already been granted anticipatory bail, the petitioners, above named, in the event of their arrest/ surrender before the court below within a period of four weeks from the date of receipt/ production of a copy of this order are directed to be enlarged on bail on their furnishing bail bond of Rs. 10,000/-



(rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Aurangabad Muffasil P.S. case No. 133/2019, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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