

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65227 of 2019

Arising Out of PS. Case No.-189 Year-2017 Thana- SALIMPUR District- Patna

GAURI RAI S/O Maheshwar Prasad Yadav R/Village- Kala Diara, P.S.-
Salimpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Sinha

For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-11-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Salimpur Police Station Case No. 189 of 2017, disclosing offences under Sections 147/148/341/323/353/379/504/506/225 of the Indian Penal Code and Section 75 of the Bihar Minor Mineral Rules.

The allegation against the petitioner is that the petitioner, along with other co-accused persons, attacked the police party and forcibly took away one seized boat, on which sand, extracted illegally from the river, was stored by the accused persons.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to village



politics and there is no criminal antecedent against the petitioner. He further submits that from perusal of the First Information Report, no specific allegation of assault is there against the petitioner and the name of the petitioner and others have been disclosed by the villagers.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that no specific allegation of assault is there against the petitioner and there is general and omnibus allegation against all the accused persons, I am inclined to grant the petitioner privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Barh, Patna, in connection with Salimpur Police Station Case No. 189 of 2017, 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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