

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70701 of 2019

Arising Out of PS. Case No.-351 Year-2019 Thana- RUPASPUR District- Patna

1. Tuntun Rai @ Tuntun Ram, Son of Ram Bihari Rai @ Ram Bihari Ram Resident of Village - Sabari Nagar, P.S.- Rupaspur, Distt - Patna.
2. Jaleshwar Manjhi, Son of Mahesi Manjhi Resident of Village - Sabari Nagar, P.S.- Rupaspur, Distt - Patna.
3. Pundev Prasad, Son of Nakhun Yadav @ Nakun Yadav Resident of Village - Sabari Nagar, P.S.- Rupaspur, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Udai Shankar Singh
For the Opposite Party/s : Mr.Anish Chandra

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-12-2019 Heard learned counsel for the petitioners and learned counsel appearing on behalf of the State.

Petitioners seek regular bail in connection with Rupaspur P.S. Case No.351 of 2019, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 353, 337, 338, 307, 504 and 302 of the Indian Penal Code.

The allegation against the petitioners is that the petitioners, along with other 38 named accused persons, were indulged in lynching of three persons on rumour of their being child lifter. It has further been alleged that when the police arrived at the place of occurrence, the named accused persons



along with 200-300 persons also pelted stones on the police party and used criminal force against them preventing them from discharging their official duty.

Learned counsel for the petitioners submits that the petitioners have got no criminal antecedent and have falsely been implicated in this case along with other accused persons and 200-300 unknown persons, who were present at the place of occurrence. Learned counsel further submits that there is no specific allegation against the petitioners and the allegation against the petitioners and other accused persons are general and omnibus in nature. Learned counsel further submits that similarly situated co-accused persons have been granted bail by this Court vide orders dated 23.10.2019, 18.10.2019, 07.11.2019 and 20.11.2019 passed in Cr. Misc. No.59125 of 2019, 62712 of 2019, 64241 of 2019 and 66547 of 2019 respectively. Learned counsel further submits that petitioners are in custody since 04.08.2019.

Having regard to the submissions made by learned counsel for the parties and taking into consideration the fact that there is general and omnibus allegation against the petitioners and the similarly situated co-accused persons have been granted bail by this Court, I am inclined to grant regular bail to the



petitioners.

Accordingly, let the petitioners, above named, be enlarged on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IInd, Danapur, in connection with Rupaspur P.S. Case No.351 of 2019 (G.R. No.2971 of 2019).

(Anil Kumar Sinha, J)

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