

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75952 of 2019

Arising Out of PS. Case No.-387 Year-2019 Thana- GARKHA District- Saran

1. AJAY DAS Son of Dina Das Village-Uttar Kadha, P.S.-Garkha, District-Saran.
2. Jagjivan Ram Son of Late Kailash Ram Village-Uttar Kadha, P.S.-Garkha, District-Saran.
3. Bal Vikash Ram Son of Jag Jivan Ram Village-Uttar Kadha, P.S.-Garkha, District-Saran.
4. Ram Jivan Ram Son of Sudarshan Ram Village-Uttar Kadha, P.S.-Garkha, District-Saran.
5. Manohar Ram @ Mahonar Ram Son of Dharmnath Ram Village-Uttar Kadha, P.S.-Garkha, District-Saran.
6. Sonu Ram Son of Dharmnath Ram Village-Uttar Kadha, P.S.-Garkha, District-Saran.
7. Arvind Kumar Ram Son of Phul Babu Ram Village-Uttar Kadha, P.S.-Garkha, District-Saran.
8. Gopal Ram @ Gopal Kumar Son of Ram Jivan Ram Village-Uttar Kadha, P.S.-Garkha, District-Saran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Tej Pratap Singh, Advocate
For the Opposite Party/s : Mr.Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 25-11-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners in this case are seeking anticipatory
bail in connection with Garkha P.S. Case No. 387 of 2019
registered for the offences punishable under Sections 341, 323,
325, 307, 37, 504/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that there



is general and omnibus allegation against all the accused persons. In fact in the marriage ceremony of daughter of petitioner no. 2 the informant's side came and created nuisance for which FIR as contained in Annexure '2' to the present application has been lodged against the informant's side. It is further submitted that there is allegation of assault against 12 persons and the injured received only three injuries which is not specific rather the same is general in nature and no specific overt act has been attributed to any of the petitioners.

Learned APP for the State has opposed the prayer of anticipatory bail.

Considering the facts and circumstances of the case wherein it is the submission of the petitioners that there was a marriage ceremony of the daughter of petitioner no. 2 in which the informant's side had come and created nuisance leading to filing of first information report as contained in Annexure '2' to the present application from the petitioners' side against the informant's side and thereafter, the present FIR has been lodged making a general and omnibus allegations of assault against the petitioners and no specific overt act has been alleged against any of the petitioners causing the alleged injury, let the petitioners above named in case of their arrest or surrender



within a period of four weeks from today in connection with Garkha P.S. Case No. 387 of 2019 be released on bail on furnishing of bail bonds of Rs. 15,000/- (fifteen thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-XIVth, Saran at Chapra, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;

(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

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