

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.71466 of 2018

Arising Out of PS. Case No.-76 Year-2018 Thana- SARMERA District- Nalanda

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1. Rajniti Paswan, Son of late Yugal Paswan
 2. Raj Kumar Paswan@ Raj Kumar, Son of Ranjit Paswan
 3. Vijay Paswan, son of Kamal Paswan
 4. Karamchand Paswan, Son of Ram Gulam Prasad. All Resident of Village-Tora, P.S. Sarmera, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha

For the Opposite Party/s : Mr. Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-01-2019 Heard learned counsels for the petitioners and the

State.

The petitioners are apprehending arrest in a case registered
for the offences punishable under Sections
147/149/341/323/332/333/353/307/504 of the IPC.

The prosecution case, as per the written report of Dinesh Prasad Singh, A.S.I. of Sarmera Police Station submitted to the Station House Officer, Sarmera Police Station, is to the effect that on 22.06.2018 at about 09.00 A.M., the informant got an information that one school girl has met with an accident by a motorcycle at N.H.-82 in front of Girls High School, Sarmera. When the informant reached the place of occurrence, all the accused persons started damaging the motorcycle by which the



victim girl was dashed. It is also alleged that all the accused persons started abusing the police and made assault to the police party. As a result, Sanjay Kumar Paswan and Chandan Kumar sustained injury and subsequently, they were taken to hospital for treatment.

It is submitted by learned counsel for the petitioner that the accusation levelled against the petitioner is omnibus and general in nature and the accusation is against the mob. It is further submitted that co-accused namely Gaurav Kumar and Saurav Kumar have been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 06.10.12018 in Cr. Misc. No.58924 of 2018. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

It is submitted by the learned APP for the State that there is accusation of obstructing the police from performing the official duty against the petitioners.

Considering the fact that the accusation is against the mob, coupled with the statement made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the



learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned **C.J.M., Nalanda at Bihar Sharif**, in connection with **Sarmera P.S. Case No. 76 of 2018**, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

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