

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.5960 of 2020**

Arising Out of PS. Case No.-268 Year-2019 Thana- MAJHAULIA District- West Champaran

1. SOMARI DEVI W/o Bhikahari Resident of Village- Senwaria, P.S.- Majhauria, Distt- West Champaran, Bettiah.
2. Brijesh Sah @ Brijesh Kumar Son of Bhikhari Sah Resident of Village- Senwaria, P.S.- Majhauria, Distt- West Champaran, Bettiah.
3. Khedu Sah S/o Jhigan Sah Resident of Village- Senwaria, P.S.- Majhauria, Distt- West Champaran, Bettiah.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai, Advocate

For the Opposite Party/s : Mr.Rana Randhir Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 03-07-2020 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioners, in the present case, are seeking anticipatory bail in connection with Majhauria P.S. Case No. 268/2019 registered for the offences under Sections 153(A)/295(A)/353/337/338/147/148/149/151/152/341/323/324/ 325 and 307 of the Indian Penal Code.

Learned counsel for the petitioners submits that there are general and omnibus allegations against the petitioners and as per first information report 26 named persons and 20 -25 unknown persons from both the sides had been quarreling and the same was threatening the peaceful leaving of the two religious



groups but there is no specific allegation against these petitioners. Learned counsel further submits that the co-accused have been granted privilege of anticipatory bail by learned coordinate Bench of this Court in Cr. Misc. No. 52448/2019 and Cr. Misc. No. 61032/2019.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioners.

Having regard to the facts and circumstances of the case wherein this court has noticed that there are general and omnibus kind of allegations against the petitioner and as per First Information report 26 named persons and 20 – 25 unknown persons from both sides had been quarreling and the same was threatening the peaceful leaving of the two religious groups but there being no specific allegation, submission that the co-accused have been granted privilege of anticipatory bail by learned coordinate Bench of this court in Cr. Misc. No. 52448/2019 and Cr. Misc. No. 61032/2019, let the above-named petitioners, in the event of their arrest or surrender within a period of four weeks from today be released on bail in connection with Majhulia P.S. Case No. 268/2019 on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction



of learned Chief Judicial Magistrate, Bettiah, West Champaran,
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.

This application is allowed.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

