

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10600 of 2020

Arising Out of PS. Case No.-435 Year-2018 Thana- BUDDHACOLONY District- Patna

1. SONI KUMARI Daughter of Suryadev Mehta Resident of Village - Bhorambagh, P.S. - Kwakool, District - Nawada.
2. Sadhana Kumari Daughter of Bhupendra Narayan Gupta Resident of Tulsiyahi, P.S.- Simari Bakhtiyarpur, District - Saharsa.
3. Nidhi Kumari Daughter of Vakil Ray Resident of Village - Saray Muzaffarpur, P.S. - Dariyapur, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ansul

For the Opposite Party/s : Mr. A. L. Pandit

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-06-2020 Heard learned Counsel for the petitioners and learned Additional Public Prosecutor representing the State, through Video Conferencing.

This application, for grant of anticipatory bail, arises out of Budha Colony Police Station Case No. 435 of 2018, disclosing offences under Sections 147/148/149/188/341/323/325/332/333/337/338/353/427/449/450/451/452/461/120-B of the Indian Penal Code and Section 3/4 of the Damage to Public Property Act.

The allegation against the petitioners is that on the date of occurrence, i.e. on 02.11.2018, one trainee constable, namely, Sabita Kumari Pathak died during treatment in the



hospital. On this issue, the male and female trainee constables ransacked the property of the police line and also assaulted higher police officials and destroyed important documents.

Learned Counsel for the petitioners submits that altogether 167 named and 300-350 unnamed persons have been made accused in the First Information Report. He further submits that no specific allegation of vandalism has been alleged against the petitioners and the petitioners have allegedly been identified through CCTV footage. He further submits that the petitioners are also trainee constables and they have been implicated only on the basis of the fact that they were also present near the police line. He next submits that on the basis of CCTV footage, the petitioners have been discharged from their services.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that no specific allegation has been levelled against the petitioners and the petitioners have already been discharged from service, I am inclined to grant the petitioners privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks



from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Patna, in connection with Buddha Colony Police Station Case No. 435 of 2018, 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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