

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10273 of 2020

Arising Out of PS. Case No.-431 Year-2019 Thana- MOTIPUR District- Muzaffarpur

1. Baiju Ray [Male, aged 62 years]
 2. Shrilal Ray, [Male, aged 65 years] Both sons of Ganour Ray
 3. Jalandhar Ray, [Male, aged 51 years] S/o Vilash Ray
 4. Uday Ray, [Male, aged 24 years] S/o late Abhilash Ray @ late Abdhesh Ray
 5. Rama Shankar Ray [Male, aged 36 years] S/o Krishna Ray
 6. Ramod Ray @ Remod Ray [Male, Aged about 29 years] S/o late Abdhesh Ray @ late Abhilash Ray
 7. Ranjeet Ray, [Male , aged 37 years] S/o Ramdev Ray
- Petitioner nos. - 1 to 6 are resident of Village – Barji, P.S. - Motipur &
Petitioner no. - 7 is of village - Berua, P.S.- Saraiya
All resides under District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.
For the Opposite Party/s : Mr. Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 16-06-2020 Heard Mr. Sanjay Kumar @ S.K. , learned counsel for the petitioners and Mr. Sanjay Kumar Singh, learned Additional Public Prosecutor appearing for the State through video conferencing.

Petitioners apprehend their arrest in connection with Motipur P.S. Case No. 431 of 2019 registered for the offence punishable under Section 114, 115, 147, 148, 149, 341, 323, 504, 307, 120(B), 353, 385, 387/34 of the I.P.C.



The allegation against the petitioners is that the son of petitioner no. 5 died in a road accident and petitioners with 31 named accused persons along with 150 unknown persons blocked N.H. 28 for 09 hours and created hindrance in free flow of traffic and also indulged in vandalism.

Learned counsel for the petitioners submits that there is no specific allegation against the petitioners and altogether 31 named accused persons are there along with 150 unknown persons, who had assembled and were lodging peaceful protest owing to death of the son of petitioner no. 5 aged about 12 years. Learned counsel further submits that from perusal of the First Information Report itself it would be evident that no damage to any vehicle was caused and no body received injury due to the peaceful protest by the villagers of the locality.

On the other hand, learned counsel for the State submits that petitioners along with accused persons had formed an unlawful assembly and blocked the National Highway-28 creating law and order problem at the place of occurrence.

Having regard to the submissions made by the parties and taking into consideration the fact that petitioners have got no criminal antecedent and the allegation against them is general and omnibus in nature, I am inclined to grant



anticipatory bail to the petitioners.

Accordingly, in the event of arrest or surrender before the court below within six weeks from today, petitioners, above named, shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M. (West), Muzaffarpur in connection with Motipur P.S. Case No. 431 of 2019, subject to the condition as laid down under Section 438 (2) of the Code Of Criminal Procedure.

It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines regarding lockdown and social distancing.

(Anil Kumar Sinha, J)

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