

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9519 of 2020

Arising Out of PS. Case No.-131 Year-2019 Thana- KHUTAUNA District- Madhubani

1. Jageshwar Yadav @ Jageshwar Prasad Yadav, aged about 55 years, Male, S/o Late Mahanthi Yadav @ Maheshi Yadav
2. Ramvatar Paswan @ Ram Avatar Paswan @ Ramabtar Paswan, aged about 40 years, Male, S/o Late Nageshwar Paswan
3. Santosh Kumar @ Santosh Yadav @ Santosh Kumar Yadav, aged about 33 years, S/o Late Kanak Lal Yadav
4. Abhinash Yadav @ Abhinash Kumar Yadav @ Munna Kumar Yadav @ Munna @ Munna Yadav, aged about 38 years, S/o Jageshwar Yadav @ Jageshwar Prasad Yadav
5. Md. Ayub @ Ayub Miya, aged about 40 years, Male, S/o Ghuran Mian
6. Satrudhan Safi @ Shatrudhan Safi, aged about 27 years, Male, S/o Ram Prasad Safi @ Ram Prasad Safi, all are resident of Village-Jatahi, P.S.- Khutauna, District-Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar No. 13, Advocate
For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 24-09-2020 Heard the parties through the virtual court proceeding.

The petitioners apprehend their arrest in connection with Khutauna P.S. Case No.131 of 2019 for the offences punishable under Sections 341, 342, 353, 427 read with Section 34 of the Indian Penal Code.

Prosecution case, as alleged by the informant (Ganesh Kumar, S.D.O. Phulparas) has alleged that on 26.12.2019 at about 12.00 p.m. at centre no.168 third Aam Sabha was



organized for the selection of Sevika / Sahaika. One female supervisor Kumari Rekha was already present at the centre. After that at about 11.30 p.m. informant with Child Development Project Officer, Vibha Kumari reached the place.

It is further alleged that petitioners along with 20-25 persons started commotion in general assembly and damaged the vehicle of the informant and all the accused persons with the help of others snatched the attendance register from Kumari Rekha and made her hostage. After about 3 hours, Kumari Rekha was made freed with the help of the police.

Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence and they have been falsely implicated in the present case.

After hearing both the parties and on perusal of case record, I find that F.I.R. has been lodged under Sections 341, 342, 427, 353/34 of the Indian Penal Code against the petitioners. Petitioners are named in the F.I.R. and direct and specific allegation have been levelled against the petitioners to use criminal force and assault to deter the informant SDO, Phulparas from discharging of his duty. From perusal of the case diary, paragraphs 3, 4, 5, 6, and 9 have supported the prosecution case.



Learned A.P.P. has opposed the prayer for bail.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for anticipatory bail in connection with Khutauna P.S. Case No.131 of 2019 pending in the court of learned A.C.J.M.-III, Jhanjharpur, District- Madhubani is hereby rejected. However, the petitioners are directed to surrender before the court below and the learned court below shall pass the order on the said day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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