

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10567 of 2020**

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

ARUN RAY S/o Late Gani Ray Resident of Village-Kharika, P.S.-Minapur,
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.Mohammed Arif

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 25-06-2020 Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor appearing for the State, through

video conferencing.

The petitioner apprehends 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 petitioner is that the son of

co-accused, Rama Shankar Ray, died in a road accident and

petitioner, along with 31 named accused persons and 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 petitioner submits that the

petitioner is innocent and has not committed any offence in the



manner alleged and he has been named in the First Information Report merely on suspicion because his motorcycle was found near the place of occurrence. He further submits that there is no specific allegation against the petitioner 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 co-accused, aged about 12 years. He 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. He further submits that similarly situated co-accused persons have been granted bail by this Court in Criminal Misc. No. 10273 of 2020.

On the other hand, learned counsel for the State submits that petitioner, along with co-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 petitioner has got no criminal antecedent, the allegation against him is general and omnibus in nature and similarly situated co-accused persons



have been granted bail by this Court, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, in the event of arrest or surrender before the court below within six weeks from today, the petitioner, 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.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

