

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11626 of 2020

Arising Out of PS. Case No.-137 Year-2014 Thana- MADANPUR District- Aurangabad

1. Balkeshwar Singh Bhokta @ Balkeshwar Bhokta Son of Dashrath Singh Bhokta Residence of Village - Kanaudi, P.S.- Madanpur, District - Aurangabad
2. Shiv Kumar @ Sivkumar Singh Bhokta Son of Johan Singh Bhokta @ Johan Singh Residence of Village - Nimidh, P.S.- Madanpur, District - Aurangabad
3. Saheb Bhuiyan @ Saheb Kumar Son of Ramdas Rikiyasan Residence of Village - Sahiyar, Nima Anjan, P.S.- Madanpur, District - Aurangabad
4. Sanjay Kumar Son of Naresh Singh Bhokta Residence of Village - Sahiyar, Nima Anjan, P.S.- Madanpur, District - Aurangabad
5. Ramji Bhuiyan Son of Laxman Bhuiyan Residence of Village - Koilwa, Nima, Anjan, P.S.- Madanpur, District - Aurangabad

... .. Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party : Mr. Mukeshwar Dayal, Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-06-2020 Heard learned counsel for the parties.

Petitioners apprehend their arrest in a case registered for the offences punishable under Sections 307, 124A and other allied sections of the Indian Penal Code, 27 of the Arms Act and sections 3/4 of the Explosive Substances Act and section 17 of the Cr.L.A. Act.

Prosecution's case in short is that about 500 miscreants armed with fire arms, lathi, danda, iron rod etc, surrounded the Madanpur police station. They entered into the



police station, started assaulting the police personnel, torched the police vehicles, furniture and records of the police station. They also tried to take away police arms.

Learned counsel appearing for the petitioners submits that the petitioners have falsely been implicated in this case on the basis of disclosure made by the local Chaukidar of the area. He submits that the FIR is against unknown and in fact the Chaukidar has erroneously implicated the petitioners in this case on false accusations. There is general and omnibus allegation against the petitioners. Nothing incriminating has been recovered from the possession of the petitioners during investigation to connect them with the alleged occurrence. Similarly situated co-accused have already been allowed anticipatory bail by a bench of this Court detailed in paragraph 13 of the bail petition.

Learned counsel for the State opposes the prayer for bail. He submits that the allegation against the petitioners is of serious nature. It has been alleged that the petitioners were the part of the miscreants' group who assaulted the police men and set ablaze the police station. He further submits that the petitioners are of criminal antecedent.

In view of the nature of allegation, prayer for bail of



the petitioners is refused with direction to surrender and seek regular bail within six weeks from the date of receipt of this order, which would be considered on its own merit without prejudice.

(Prabhat Kumar Singh, J)

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