

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24874 of 2020

Arising Out of PS. Case No.-923 Year-2019 Thana- FORBESGANJ District- Araria

1. ABDHESH JHA @ ABDHESH DAS @ ABDHESH TATMA S/o Ganga Das @ Ganganand Tatma Resident of Village-Thilla Mohan, P.S.-Simraha, District-Araria.
2. Raj Kumar Mandal S/o Ramkrishna Mandal Resident of Village-Thilla Mohan, P.S.-Simraha, District-Araria.
3. Jay Kumar @ Jay Kumar Mandal S/o Rameshwar Mandal Resident of Village-Thilla Mohan, P.S.-Simraha, District-Araria.
4. Raushan Thakur @ Raushand Thakur S/o Abdhesh Thakur @ Mahesh Thakur Resident of Village-Thilla Mohan, P.S.-Simraha, District-Araria.
5. Pravesh Das @ Pramesh Das S/o Ganga Tatma Resident of Village-Thilla Mohan, P.S.-Simraha, District-Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha
For the Opposite Party/s : Mr. Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-10-2020 Heard learned Counsel for the petitioners and learned Additional Public Prosecutor representing the State, through Video Conferencing.

The petitioners apprehend arrest in connection with Forbesganj (Simraha) Police Station Case No. 923 of 2019, registered for the offences punishable under Sections 147/148/149/341/342/323/325/447/188/186/290/353/337/338/307/332/504 of the Indian Penal Code.

The prosecution case is that 49 named accused



persons and 500 unknown persons obstructed the police force in discharging their official duty when the police party had arrived in the village for arrest of two persons, namely, Md. Rizwan and Md. Enamul, for the charge of theft of child. It has further been alleged that all the accused persons demanded that the miscreants, who are said to be child lifters, should be handed over to them.

Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in this case inasmuch as from perusal of the First Information Report, it would be evident that altogether 49 persons have been named in the First Information Report along with 500 unknown persons. He further submits that the allegation against the petitioners are general and omnibus in nature and similarly situated co-accused persons have been granted anticipatory bail by this Court, vide order passed in Criminal Misc. No. 12671 of 2020.

After having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that the allegation against the petitioners are general and omnibus in nature and similarly situated co-accused persons have been granted anticipatory bail by this Court, I am inclined to grant the petitioners privilege of anticipatory bail.



This application is allowed.

Accordingly, let the petitioners, above named, be released on bail, in the event of their arrest or surrender before the Court below within a period of six weeks from today, upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, in connection with Forbesganj (Simraha) Police Station Case No. 923 of 2019.

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

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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