

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27052 of 2020

Arising Out of PS. Case No.-924 Year-2019 Thana- FORBESGANJ District- Araria

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1. RAUSHAN THAKUR @ RAUSHAND THAKUR S/o Mahesh Thakur Resident of Village-Thilla Mohan, P.S.-Simraha, District-Araria.
 2. Parmesh Das @ Parvesh Das S/o Ganga Das @ Ganga Tatma Resident of Village-Thilla Mohan, P.S.-Simraha, District-Araria.
 3. Abadhesh Das @ Abdhesh Tatma S/o Ganga Tatma @ Ganga Das @ Ganganand Tatma Resident of Village-Thilla Mohan, P.S.-Simraha, District-Araria.
 4. Raj Kumar Mandal S/o Ramkrishna Mandal Resident of Village-Thilla Mohan, P.S.-Simraha, District-Araria.
 5. Jay Kumar S/o Rameshwar Mandal 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 : Ms. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-11-2020 The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioners and
Ms. Anita Kumari Singh, the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Forbesganj PS case no. 924 of 2019 registered for the offences punishable under Section 307 and other allied sections of Indian Penal Code.



The informant has alleged in his written complaint that while he and his cousin brother were going to purchase Ayurvedic medicines, some persons caught them and started assaulting them on suspicion that they are child thieves. Subsequently, several persons gathered there, however, the police party reached at the place of occurrence and took the aforesaid two persons in custody but when the police force was taking them away in the police jeep, 51 FIR named persons and 500 unknown persons attacked the apprehended persons as well as started pelting stones on the police personnel.

The learned counsel for the petitioners has submitted that the petitioners are innocent and have been falsely implicated in the present case. It is further submitted that a general and omnibus allegation has been levelled against the petitioners herein. Lastly, it is submitted that several co-accused persons have been granted bail by co-ordinate Benches of this Court vide order dated 03.03.2010, passed in Cr. Misc. no. 8167 of 2020, order dated 23.06.2020, passed in Cr. Misc. no. 6475 of 2020 and other cases.

Per contra, the learned APP for the State vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of



the case, considering the submissions of the learned counsel for the parties and taking into account the parity of the case of the petitioners with that of co-accused persons who have already been granted anticipatory bail by co-ordinate Benches of this Court as also considering the fact that a general and omnibus allegation has been levelled against the petitioners herein, I deem it fit and appropriate to admit the petitioners to the privilege of anticipatory bail. Accordingly, the abovenamed petitioners, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Forbesganj PS case no. 924 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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