

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29464 of 2020**

Arising Out of PS. Case No.-27 Year-2020 Thana- MOTIPUR District- Muzaffarpur

HARDEV RAY Son of Late Lachchhu Ray Resident of Village- Ratanpura  
Bakhra, P.S.- Motipur, District- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, A.P.P.

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

2      16-12-2020                      Heard Mr. Manoj Kumar, learned counsel for the  
petitioner and Mr. Uday Pratap Singh, learned Additional Public  
Prosecutor appearing for the State through video conferencing.

Petitioner apprehends arrest in connection with  
Motipur P.S. Case No. 27 of 2020 registered for the offences  
punishable under Sections 147, 148, 149, 120B, 341, 323, 307,  
353, 354, 379, 413, 414, 427, 504 and 511/34 of the Indian  
Penal Code, 1860.

The allegation as per the First Information Report is  
that the Police, on the basis of information that the co-accused  
persons Harishankar Rai and Rahul Kumar have brought the  
stolen Bolero vehicle and they are changing its colour,  
proceeded towards the place of occurrence and seized the  
vehicle in question and on the instigation of the co-accused



persons Harishankar Rai and Rahul Kumar along with their family members, about 17 named accused persons including petitioner and 50 unknown persons attacked over the Police party, damaged the government vehicle and attempted to snatch arms of the Police Party.

Learned counsel for the petitioner submits that the petitioner who is aged about 72 years and is a senior citizen residing in the village, has not committed any offence in the manner alleged. Learned counsel further submits that the petitioner is not having any relationship or concern with the co-accused Harishankar Rai and Rahul Kumar from whose possession the stolen Bolero vehicle has been recovered. Learned counsel also submits that altogether 17 co-accused persons including petitioner along with 50 unknown villagers are named in the First Information Report and there is general and omnibus allegation against the petitioner.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that general and omnibus allegation has been made against the petitioner who is about 72 years of age, 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, petitioner, above named, shall be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, West, Muzaffarpur, in connection with Motipur P.S. Case No. 27 of 2020, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

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

**(Anil Kumar Sinha, J)**

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