

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29879 of 2020

Arising Out of PS. Case No.-180 Year-2019 Thana- CHAUSA District- Madhepura

1. VIKASH KUMAR @ VIKAS YADAV S/o Parmanand Yadav R/o Vill.-Bhatgama, P.S.-Chousa, Distt.-Madhepura.
2. Pintu Yadav S/o Siaram Yadav R/o Vill.-Bhatgama, P.S.-Chousa, Distt.-Madhepura.
3. Bipi Yadav @ B.P. Yadav S/o Siaram Yadav R/o Vill.-Bhatgama, P.S.-Chousa, Distt.-Madhepura.
4. Chhotu Kumar @ Chhotu Yadav S/o Sikendar @ Siken Yadav R/o Vill.-Bhatgama, P.S.-Chousa, Distt.-Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar

For the Opposite Party/s : Mr. Vinod Shanker Modi

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-12-2020 Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State, through Video Conferencing.

This application, for grant of anticipatory bail, arises out of Chausa Police Station Case No. 180 of 2019, disclosing offences under Sections 147/188/341/342/323/332/333/353/504/506 of the Indian Penal Code.

The prosecution case, as per the First Information Report, is that 12 accused persons, including the petitioners, along with 200 unknown persons blocked the road in the protest



of kidnapping of one Pramod Kumar Yadav and when the police party tried to intervene in the matter, the accused persons started pelting stone and brick-batting upon the police party, which caused injury to them and the accused persons also damaged the police vehicles.

Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in this case with oblique motive inasmuch as the occurrence has allegedly taken place on 18.06.2019, but the First Information Report has been lodged after a delay of two days, i.e. on 21.06.2019, at the instructions of the higher police officials. He further submits that from perusal of the First Information Report, it would be evident that 12 named accused persons, along with 200 unknown persons, pelted stones and there is no specific allegation against the petitioners and the allegations against them are general and omnibus in nature. He further submits that the petitioners have got no criminal antecedent and further no injury report has been brought on record by the prosecution.

After having heard learned Counsel for the parties concerned and taking into consideration the materials on record and the fact that the allegation against the petitioners is general and omnibus in nature, I am inclined to grant the petitioners



privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioners, above named, in the event of their arrest or surrender before the Court below within six weeks from today, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Udakishunganj, Madhepura, in connection with Chousa Police Station Case No. 180 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

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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