

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30036 of 2020

Arising Out of PS. Case No.-369 Year-2019 Thana- SIRDALA District- Nawada

1. SARJU RAJBANSHI S/o Late Gopi Rajbanshi Resident of Village-Manjhgama Tola Jai Nagar, P.S.-Sirdalla, District-Nawada.
2. Pragash Rajbanshi S/o Late Munshi Rajbanshi Resident of Village-Manjhgama Tola Jai Nagar, P.S.-Sirdalla, District-Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad

For the Opposite Party/s : Ms. Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-12-2020 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 Sirdalla PS case no. 369 of 2019 registered for the offences punishable under Sections 308 and other allied sections of Indian Penal Code.

The case of the prosecution in brief is that on 17.08.2019 at about 1.30 am, when the informant along with his staff was returning on a vehicle from Gaya to his native village



Bagdaha, they had stopped on the way to attend to the nature's call and when they had started their journey, the informant received a mobile call from his villager that the petitioners herein and 20 to 25 other villagers were assaulting his staff Sonu Kumar on the allegation of stealing a child, whereafter the informant is stated to have rushed to the said place of occurrence and when he had tried to save his staff, he was also assaulted.

The learned counsel for the petitioner has submitted that the petitioners are innocent, have been falsely implicated in the present case and are having clean antecedent. It is further submitted that a general and omnibus allegation has been levelled against the petitioners herein and there is no allegation of any sort of specific overt act as against the petitioners herein.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the fact that the petitioners are having clean antecedent and a general and omnibus allegation has been levelled against them, 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 Additional Chief Judicial Magistrate- IVth, Nawada in connection with Sirdalla PS case no. 369 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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