

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63987 of 2019

Arising Out of PS. Case No.-351 Year-2019 Thana- RUPASPUR District- Patna

1. Samsundari Devi @ Shyamsunder Devi W/o Surendra Paswan Resident of Village - Sebari Nagar, P.S.- Rupaspur, Distt.- Patna, At present Residing at beldarichak, Bijpura, Viajypura, P.S.- Dhanarua, Dist.- Patna.
2. Amrish Kumar @ Amrish Paswan Son of Radhe Paswan Resident of Village - Sebari Nagar, P.S.- Rupaspur, Distt.- Patna,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar
For the Opposite Party/s : Mr.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 10-01-2020 Heard the learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Rupaspur PS case no. 351 of 2019 instituted for the offences punishable under Sections 307 and other sections of Indian Penal Code.

The case of the prosecution according to the informant is that upon getting information, he along with the police party had gone at the place of occurrence, where he saw that 200-300 persons, including male and female members, armed with lathi-danda, bricks, stones and sword were brutally assaulting three persons. On seeing the police force, mob



became violent and started pelting stones on them, however, with the help of police force, three injured persons, who were being assaulted, were rescued from the mob. Thereafter, grievously injured persons namely Chandan Kumar, Subhash Singh and one unknown persons were sent for treatment to the Hospital. The police had then arrested 32 persons including the petitioner and rest of the accused persons had fled away. During the course of treatment, one of the aforesaid unknown person had died.

The learned counsel for the petitioners has submitted that the petitioners are languishing in custody since 04.08.2019, having no criminal antecedent. It is stated that the petitioners have been falsely implicated in the present case, charge sheet has already been submitted in the present case and there is no allegation of tampering with the witnesses. Lastly, it is submitted that there is general and omnibus allegation, levelled against the petitioners and there is no allegation of any sort of specific overt act as against the petitioners. It is further submitted that similarly situated co-accused person has already been granted bail by a co-ordinate Bench of this Court vide order dated 23.10.2019 passed in Cr. Misc. no. 59125 of 2019.

Having regard to the facts and circumstances of the



case, the abovenamed petitioners are directed to be released on regular 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 A.C.J.M.-II, Danapur in connection with Rupaspur PS case no. 351 of 2019.

(Mohit Kumar Shah, J)

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