

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86157 of 2019

Arising Out of PS. Case No.-324 Year-2017 Thana- SARAIYA District- Muzaffarpur

Kundan Kumar, Son of Anandi Chaudhary, Resident of Village - Kolhua, P.S.-
Saraiya, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Parasmani
For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 26-02-2020 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with Saraiya P.S. Case No.324 of 2017, registered for the offence punishable under Sections 147, 148, 149, 341, 323, 324, 342, 379, 283, 427, 332, 431, 353, 188, 151, 584 of the Indian Penal Code.

The allegation against the petitioner as per the first information report is that police got information on the date of occurrence, i.e., 02.09.2017 that on the death of one Ajay Mahto due to fire arm injury, the villagers have assembled on NH-102 and have blocked the NH-102 in protest of the killing of said Ajay Mahto. It has further been alleged that when police party arrived at NH-102, the mob assembled there became furious and



started damaging the vehicle and blocked the road for about sixteen hours. The petitioner is named as accused No.22 in the first information report and altogether 22 named accused along with 250 unknown persons have been made accused in the present first information report.

Mr. Sanjay Parasmani, learned counsel appearing for the petitioner submits that the petitioner has been implicated in this case on the basis of his name having been disclosed by public representatives. Learned counsel further submits that altogether 22 named accused persons are there along with 250 unknown person and allegation against them are general and omnibus. Learned counsel further submits that no specific allegation of creating nuisance and damage to the property has been levelled against this petitioner and petitioner has got no criminal antecedent.

After having heard learned counsel for the parties and taking into consideration the fact that the allegation against the petitioner is general and omnibus in nature and no specific allegation has been levelled against him, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of



four weeks from today and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-Ist (West), East, Muzaffarpur, in connection with Saraiya P.S. Case No.324 of 2017, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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