

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86136 of 2019

Arising Out of PS. Case No.-863 Year-2019 Thana- MADHEPURA District- Madhepura

1. Ritesh Kumar Gupta, Son of Krishnadeo Gupta, Resident of Ward NO.17, Madhepura, Main Road, Madhepura Market.
2. Ravi Kumar, Son of Krishnadeo Gupta, Resident of Ward NO.17, Madhepura, Main Road, Madhepura Market.
3. Abhishek Kumar, Son of Vishnudeo Prasad Gupta, Resident of Ward NO.17, Madhepura, Main Road, Madhepura Market.
4. Vinit Kumar, Son of Vishnudeo Prasad Gupta, Resident of Ward NO.17, Madhepura, Main Road, Madhepura Market.
5. Banti Kumar, Son of Vishnudeo Prasad Gupta, Resident of Ward NO.17, Madhepura, Main Road, Madhepura Market.
6. Vishnudeo Prasad Gupta, Son of Late Ram rattan Gupta, Resident of Ward NO.17, Madhepura, Main Road, Madhepura Market.
7. Pankaj Kumar, Son of Late Ganga Prasad Yadav, Proprietor of Sagar Electric Shop, S.B.I. Road, Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dinesh Prasad Verma
For the Opposite Party/s : Mr.Jagdhari Prasad

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

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

Petitioners apprehend their arrest in connection with Madhepura P.S. Case No.863 of 2019, registered for the offence punishable under Sections 143, 341, 353, 504, 506 of the Indian Penal Code.

The allegation against the petitioners as per first



information report lodged by the police officer stating therein that the police official along with Executive Officer, Nagar Panchayat, Circle Officer and Block Development Officer had arrived and tried for removal the encroachment in Madhepura market at Dakbunglow chowk. It has further been alleged that during the course of removal of encroachment, 12 named accused persons along with 25 unknown created nuisance and indulged in scuffle with Government officials and obstructed them in performing their official duty.

Mr. Dinesh Prasad Verma, learned counsel appearing for the petitioners submits that petitioners are the shop keeper in the area and have falsely been implicated in this case with oblique motive. Learned counsel further submits that there is general and omnibus allegation against 12 named accused persons along with 25 unknown persons. Learned counsel further submits that no specific allegation of assault, scuffle has been levelled against these petitioners.

After having heard learned counsel for the parties and taking into consideration the fact that no specific allegation has been levelled against these petitioners and altogether 12 named accused person and 25 unknown persons have been named in the FIR, I am inclined to grant anticipatory bail to the



petitioners.

Accordingly, all the petitioners, above named, are directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by them, they shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura, in connection with Madhepura P.S. Case No.863 of 2019, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

(Anil Kumar Sinha, J)

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