

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15638 of 2021

Arising Out of PS. Case No.-171 Year-2020 Thana- CHERIYA BARIYARPUR District-
Begusarai

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1. DHARMENDRA SAH Son of Natho Sah Resident of village - Makaspur, P.S. Cheria Bariyarpur, District - Begusarai.
 2. Sharwan Sah Son of Balmiki Sah Resident of village - Makaspur, P.S. Cheria Bariyarpur, District - Begusarai.
 3. Shankar Sah Son of Charan Sah Resident of village - Makaspur, P.S. Cheria Bariyarpur, District - Begusarai.
 4. Sujeet Kumar Son of Rambali Sah Resident of village - Makaspur, P.S. Cheria Bariyarpur, District - Begusarai.
 5. Bipin Kumar Son of Ramcharan Sah Resident of village - Makaspur, P.S. Cheria Bariyarpur, District - Begusarai.
 6. Jitendra Sah Son of Shyam Sah Resident of village - Makaspur, P.S. Cheria Bariyarpur, District - Begusarai.
 7. Sudeen Paswan @ Sudhir Paswan Son of Dorik Paswan Resident of village - Barkaha, P.S. Cheria Bariyarpur, District - Begusarai.
 8. Gopal Kumar @ Ram Gopal Singh Son of Banti Singh Resident of village - Barkaha, P.S. Cheria Bariyarpur, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate
For the Opposite Party/s : Mr. Shyam Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 22-11-2021 Petitioner No. 1 Dharmendra Sah, Petitioner No. 2 Sharwan Sah, Petitioner No. 3 Shankar Sah, Petitioner No. 6 Jitendra Sah and Petitioner No. 8 Gopal Kumar @ Ram Gopal Singh have already been arrested in this case. Hence, their prayer for anticipatory bail is dismissed as infructuous.

Heard learned counsel for the parties.

Let the defect(s), if any, be removed within four



weeks after complete start of the physical Court.

The petitioner nos. 4, 5 and 7 are apprehending their arrest in a case registered for the offences punishable under Sections 147, 149, 188, 353, 269, 270, 271 of the Indian Penal Code and Section 3 of the Epidemic Disease Act.

Allegation against petitioner nos. 4, 5 and 7 is that they were obstructing smooth movement of traffic due to death of a person in road accident. The allegation is general and omnibus. Petitioner nos. 4, 5 and 7 have got no criminal antecedent.

Considering the facts aforesaid, let the petitioner no. 4 Sujeet Kumar, petitioner no. 5 Bipin Kumar and petitioner no. 7 Sudeen Paswan @ Sudhir Paswan, in the event of their arrest or surrender before the learned Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Cheriya Bariyarpur Police Station Case No. 171 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as subject to the following conditions:-



(a) The petitioner nos. 4, 5 and 7 shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner nos. 4, 5 and 7.

(b) Both the bailors shall be resident of territorial jurisdiction of the learned court below.

(c) The petitioner nos. 4, 5 and 7 shall not leave the country without permission of the learned trial court.

(Birendra Kumar, J)

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