

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24822 of 2021

Arising Out of PS. Case No.-251 Year-2020 Thana- GAUTAMBUDHNAGAR District-
Siwan

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1. Dhananjay Kumar @ Dhananjay Kumar aged about 27 years Raut Son Of Mishri Raut R/O Village- Gaurkathak, P.S.- G.B. Nagar, Dist.- Siwan
 2. Tuntun Kumar aged about 19 years Son Of Lal Bahadur Raut R/O Village- Gaurkathak, P.S.- G.B. Nagar, Dist.- Siwan
 3. Saroj Kumar aged about 22 years Son Of Buti Raut R/O Village- Gaurkathak, P.S.- G.B. Nagar, Dist.- Siwan
 4. Satrudhan Kumar aged about 20 years Son Of Buti Raut R/O Village- Gaurkathak, P.S.- G.B. Nagar, Dist.- Siwan
 5. Rajesh Prasad aged about 31 years Son Of Umashankar Prasad R/O Village- Gaurkathak, P.S.- G.B. Nagar, Dist.- Siwan
 6. Arvind Kumar aged about 18 years Son Of Raj Narayan Prasad R/O Village- Gaurkathak, P.S.- G.B. Nagar, Dist.- Siwan

... .. Petitioners

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Nawal Kishore Singh, Advocate
For the Opposite Party/s : Madhuri Lata, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-07-2021 Heard learned counsel for the petitioners and the

State.

Petitioners seek bail in a case registered for the offence punishable under section and other ancillary sections of the Indian Penal Code.

As per the prosecution case, these petitioners along with 40 FIR named accused persons and 150-200 unknown persons surrounded the police party and attacked with talwar, bhalla, lathi, farsa etc as a result of which some of the police officials got injured. Accused persons also prevented the police



party from discharging official duty.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. There is general and omnibus allegation against the petitioners and no specific allegation of overt act has been alleged against them. No liquor has been recovered from the petitioners. Petitioners have got clean antecedent as stated in paragraph 3 of the bail petition. Petitioners are in custody since 22.9.2020. Similarly situated co-accused have already been allowed bail by this Court vide order dated 26.2.2021, passed in Cr.Misc.No. 40790/2020.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the rival submissions of the parties, materials available on the record and the period of custody of the petitioners, let the petitioners, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge II cum Special Judge, Excise Act Siwan in GB Nagar Police Station Case No. 251 of 2020 on the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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