

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26629 of 2021

Arising Out of PS. Case No.-266 Year-2019 Thana- PIRPAINTI District- Bhagalpur

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SRI RAM ROY, (Male), aged about 54 years, Son of Late Kesho Prasad Roy
@ Kesho Roy, Resident of Village - Bakharpur, P.S.- Bakharpur (Pirpainty),
District - Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Gopal Prasad Roy, Advocate.
For the Opposite Party : Mr. A.G

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-07-2021 Learned counsel for the petitioner is directed to

remove the defects, as pointed out by the office, within a period

of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through Virtual mode.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 147, 149, 323, 341, 353,
427, 504 and 506 of the I.P.C.

The prosecution story, in brief, is that on 13.12.2019
at about 8.30 A.M., in the evening, the informant, namely,
Mukesh Kumar Singh, S.H.O., Bakharpur O.P. received a secret
information that dreaded criminal Basuki Thakur with some of
his associates have assembled with large number of firearms



near the house of one Anil Tiwari situated at Bakharpur Eastern Tiwari Tola. After entering Sanha and informing to the Senior Official, the informant alongwith the police team reached near the house of Anil Tiwari at about 8.50 hours and started searching the criminals, in the meantime, the local people under the leadership of Vikash Tiwari assembled and attacked on the police force. Then the police retrieved and tried to return back from the vehicle. Then Vikash Tiwari asked the people present over there for assaulting the police party. On this, the local people did a murderous attack on the police force who were sitting on the vehicle, due to which, some police personnels received injuries and the police jeep bearing Registration No. BR 10J-9497 got damaged. The persons involved in the occurrence were identified in the light of the vehicle as Laltu Rai, Sri Ram Rai (petitioner), Vikash Rai, Hira Thakur, Lal Tiwari and rest 10-15 unknown persons who were also involved in the occurrence. It is also alleged that they all in concert having equipped with weapons have attacked the police force and by causing hindrance in the Government work they caused damage to the government Jeep and as per the information due to obstruction caused by the occurrence all criminals managed to escape.



It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. He has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. General and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Other co-accused have been granted anticipatory bail vide Cr. Misc. No. 24724 of 2020 under order dated 22.12.2020 by another Co-ordinate Bench of this Court, annexed as Annexure-2 to the present application.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of the learned A.C.J.M.-XI, Bhagalpur, in connection with Pirpainty (Bakharpur) P.S. Case No. 266 of 2019 (G.R. No. 5740/2019), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioner shall



furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) only
with two sureties of the like amount each within a period of
eight weeks to the satisfaction of the court concerned in
connection with the aforesaid case.

(Sudhir Singh, J)

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