

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29429 of 2020

Arising Out of PS. Case No.-55 Year-2012 Thana- SURSAND District- Sitamarhi

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KAMESH PASWAN @ KAMLESH KUMAR Son of Nagendra Paswan @
Yogendra Paswan Resident of Village- Kumma, P.S.- Sursand, District-
Sitamarhi (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhusudan Rai, Adv.

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 05-01-2021 Heard Mr. Madhusudan Rai, learned counsel for the

petitioner and Mr. Tapeswar Sharma, Additional Public

Prosecutor for the State.

2. Petitioner apprehends his arrest in connection with

Sursand PS Case No. 55/2012 registered for the offence

punishable under Sections 147, 148, 149, 342, 283, 427, 353 of

the Indian Penal Code.

3. The allegation, as per First Information Report, is

that petitioner along with other accused persons blocked the

National Highway No. 104 in order to show their protest due to

death of a person in an accident causing inconvenience to

general public.

4. Learned counsel for the petitioner submits that the

petitioner has not committed any offence in the manner alleged



and altogether 20 persons have been named in the FIR along with 50-60 unknown persons and allegation against the petitioner is general and omnibus in nature. Learned counsel further submits that similarly situated co-accused persons have been granted anticipatory bail by one of the Co-ordinate Benches of this Court vide Cr. Misc. No. 67911/2019.

5. Learned counsel next submits that the petitioner was given benefit of Section 41(A) of the CrPC. Learned counsel also submits that now charge-sheet has already been submitted in this case.

6. Having regard to the submissions made by the parties and taking into consideration the material on record and the fact that similarly situated co-accused persons have been granted anticipatory bail by a Bench of this Court and the allegation against the petitioner is general and omnibus in nature, I am inclined to grant anticipatory bail to the petitioner.

7. Accordingly, petitioner, KAMESH PASWAN @ KAMLESH KUMAR shall be released on anticipatory bail, in the event of arrest or surrender within four weeks, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Pupri Sitamarhi in connection with Sursand



PS Case No. 55/2012, subject to the conditions as laid down under Section 438(2) CrPC.

8. It is made clear that at the time of furnishing bail bonds all the parties shall follow the guidelines of social distancing.

(Anil Kumar Sinha, J)

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