

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31565 of 2020

Arising Out of PS. Case No.-15 Year-2020 Thana- GOVINDPUR District- Nawada

1. Shiv Shankar Kumar, aged about 24 years, Male, S/o Arjun Mistry Resident of Village-Ratni, P.O. and P.S.-Govindpur, District-Nawada.
2. Gunjan Singh, aged about 24 years, male, S/o Uday Kumar Singh @ Uday Singh Resident of Village-Ratni, P.O. and P.S.-Govindpur, District-Nawada.
3. Aman Kumar @ Knowledge, aged about 23 years, Male, S/o Kishori Singh Resident of Village-Ratni, P.O. and P.S.-Govindpur, District-Nawada.
4. Om Prakash Pandit, aged about 26 years, Male, S/o Sidheshwar Pandit Resident of Village-Ratni, P.O. and P.S.-Govindpur, District-Nawada.
5. Shri Kant Sharma @ Shri Kant Kumar, aged about 22 years, Male, S/o Anandi Sharma Resident of Village-Ratni, P.O. and P.S.-Govindpur, District-Nawada.
6. Guddu, aged about 22 years, Male, S/o Budhan Choudhary Resident of Village-Ratni, P.O. and P.S.-Govindpur, District-Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Arun, Advocate
For the Opposite Party/s : Mr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 22-01-2021 Heard learned counsel for the petitioners and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Govindpur P.S.Case No.15 of 2020, registered under sections 353, 147, 148, 149, 188, 291, 341, 323, 337, 427 and 504 of the Indian Penal Code, section 9 of the Bihar Control of Use and Play of Loud-Speakers Act, 1955 and section 37(c) of



the Bihar Prohibition and Excise Act, 2016.

As per allegation in the F.I.R., it is stated that on the occasion of *Saraswati Puja*, 40-50 unsocial elements started to play *D.J.* and created chaos. It is further stated that they started pelting stones. Four of the accused persons were caught who disclosed the name of 11 other accused persons, as stated in the FIR.

It is submitted by learned counsel for the petitioners that the allegations levelled are false and incorrect. It is submitted that neither the petitioners were present at the place of occurrence nor the allegations levelled against them are true. The six petitioners herein have been named amongst the eleven accused persons about whom, it is stated that they managed to escape from the place of occurrence. It is submitted that the petitioners have no criminal antecedent and their case stands on a similar footing to that of co-accused Navin Kumar who has been allowed bail vide order dated 17.12.2020 passed in Cr. Misc. no. 30290 of 2020.

The application for bail is opposed by the learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case



including grant of bail to the other co-accused, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of six weeks from today and in the event of their arrest or surrender in connection with Govindpur P.S.Case No.15 of 2020, they will be enlarged on bail on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum-Special Judge (Excise), Nawada, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Partha Sarthy, J)

B.Kr./-

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