

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31581 of 2020

Arising Out of PS. Case No.-755 Year-2019 Thana- SAHARSA District- Saharsa

1. Anandi Ram Son of Ayadhi Ram Resient of Village- Rufuzi Colony Ward No.06, P.S. and District- Saharsa.
2. Sanjay Kumar Panjiyar Son of Ram Kripal Panjiyar Resident of D.B Road, Ward No.12, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 05-03-2021 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners have filed the instant application for grant of anticipatory bail apprehending their arrest in connection with Saharsa P.S. Case no. 755 of 2019 registered under section 307 and other sections of the Indian Penal Code, section 27 of the Arms Act and sections 3 and 4 of the Prevention of Damage to Public Property Act, 1984.

As per allegation in the FIR, it is stated by the informant that the petitioners and others were leading the supporters of a political party in a protest being conducted by them when the participants of the demonstration turned violent and damaged public property. It is stated that while granting permission itself it had been stated that the leaders which includes the petitioners herein would be responsible for any law and order problem.

It is submitted by learned counsel for the petitioner that the allegation as narrated in the FIR are incorrect. People had gathered for a peaceful protest with permission of the local



authorities. From perusal of the FIR it would be evident that the allegations are general and omnibus in nature and some of the antisocial elements made an attempt to create some problems in the peaceful procession. The authorities concerned not being able to identify those elements are falsely implicating the petitioners herein.

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

Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioners together with the allegations being general and omnibus in nature, the Court is inclined to enlarge the petitioners on anticipatory 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 Saharsa P.S. Case no. 755 of 2019 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 learned Chief Judicial Magistrate, Saharsa subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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