

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38114 of 2020

Arising Out of PS. Case No.-65 Year-2020 Thana- MARANCHI District- Patna

ABHAY KUMAR SINGH @ SARJAN SINGH, (Male), aged about 58 years,
Son of Late Ugandeo Prasad Singh, Resident of Village - Ramdiri , P.S.-
Matihari and Distt.- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Gajendra Kumar Singh, Advocate.
For the Opposite Party : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-08-2021 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, 148, 149, 341, 323,
307, 337, 338, 353, 427, 325, 435, 436, 379, 385, 386, 387, 504,
506, 120(B), 188, 269, 270/34 of the I.P.C. and Section 3 of the
Epidemic Disease Act, 1987.

The prosecution story, in brief, is that 290 Acres of
land was acquired and given by the State Government for
construction of S. Dike of N.T.P.C. for which police force was
deputed for peaceful construction. On 30.05.2020, the men of
N.T.P.C. was doing the work, at that time, at about 11.00 A.M.,



100 persons of villages-Ramdiri and Jagatpura came there and tried to stop the work and started throwing stone upon the police force. The police personnels tried to stop them but they attacked on them with Lathi, Danda and Iron rod, as a result of which, the driver of the informant Subhash Singh and other police personnels received injury. On information, higher police officials have also come there. Several persons have injured in the said occurrence. They also damaged the *Poklane J.C.B.*, *Tractor* and vehicles of the informant. They put fire in the *Bentonight* which was kept under *Tripal*. After sometime, they tried to settle the dispute but the mob regularly throwing the bricks. The officer-in-charge of Matihani and local Chowkidar identified 41 persons who participated in the occurrence. The petitioner was also one of them. It is further stated that apart from 41 named persons, 150 unknown persons had also participated in the occurrence.

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



him. Altogether 41 named persons alongwith 150 unknown persons have been made accused in the F.I.R.

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 Judicial Magistrate-Ist Class, Barh, Patna, in connection with Maranchi P.S. Case No. 65 of 2020, 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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