

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1085 of 2021

Arising Out of PS. Case No.-702 Year-2019 Thana- MAHUA District- Vaishali

1. MAHESH SHARMA, S/o Late Ram Ikwai Sharma VILLAGE AHIAI , P.S RAJAPAKAR DISTRICT VAISHALI
2. Nand Kishor Sharma, S/o Late Harihar Sharma VILLAGE AHIAI , P.S RAJAPAKAR DISTRICT VAISHALI
3. Chunchun Pandey, S/o Biresb Pandey VILLAGE AHIAI , P.S RAJAPAKAR DISTRICT VAISHALI
4. Ravi Pandey @ Rabindra Pandey, S/o Devki Pandey VILLAGE AHIAI , P.S RAJAPAKAR DISTRICT VAISHALI
5. Manjan Thakur @ Manja Kumar Choudhary, S/o Raj Kumar Thakur VILLAGE AHIAI , P.S RAJAPAKAR DISTRICT VAISHALI
6. Sunil Sah, S/o Darshan Sah VILLAGE AHIAI , P.S RAJAPAKAR DISTRICT VAISHALI
7. Sanjay Sharma, S/o Chandeshwar Sharma VILLAGE AHIAI , P.S RAJAPAKAR DISTRICT VAISHALI
8. Krishna Kumar, S/o Ramjee Singh VILLAGE AHIAI , P.S RAJAPAKAR DISTRICT VAISHALI
9. Rupesh Pandey @ Rupesh Kumar, S/o Vishambhar Pandey VILLAGE AHIAI , P.S RAJAPAKAR DISTRICT VAISHALI
10. Akhilesh Pandey, S/o Vishambhar Pandey VILLAGE AHIAI , P.S RAJAPAKAR DISTRICT VAISHALI
11. Laxmi Devi, W/o Vishambhar Pandey VILLAGE AHIAI , P.S RAJAPAKAR DISTRICT VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Choudhary

For the Opposite Party/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 29-10-2021 Heard the learned counsel for the petitioners.

Learned counsel for the petitioners has submitted that

the case against the petitioner No.3 and petitioner No.10 has

been dismissed as withdrawn vide order dated 27.08.2021, as petitioner No.3 has been arrested and petitioner No.10 has been murdered.

Petitioner No.1 to 11(except petitioner No.3 and 10) apprehend their arrest in connection with Mahua P.S. Case No. 702 of 2019, registered for the offences punishable under Sections 147, 148, 323, 333, 341, 342, 353, 379, 307, 504, 511 and 120(B) of the Indian Penal Code.

Allegedly, the informant is Anchal Adhikari, who was deputed for ensuring law and order and in order to remove the road jam, he went to the place of occurrence where he saw that near about 100 persons were raising slogans and have blocked the road. They were demanding to cancel the election of PACS. Despite repeated request, they were adamant on their demand. Lastly, the mob became furious and attempted to snatch the rifle of police constables. It has also been alleged that the members of mob were throwing brickyards. Some police personnel became injured.

Learned counsel for the petitioners has submitted that all the allegations are general and omnibus and there is no specific allegation against any of the accused persons. He has further submitted that specific allegation of leading the mob is

on co-accused, Vishambhar Pandey, who was arrested by the police and has been granted bail.

Considering the fact that the allegation is general and omnibus and not specific, let the petitioner No.1 to 8 (except petitioner No.3) and petitioner No.11, above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Mahua P.S. Case No. 702 of 2019, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

So far as prayer for bail on behalf of **petitioner No.9** is concerned, he has criminal antecedent of various cases and thus he is not entitled for privilege of anticipatory bail. Therefore, the prayer for bail against petitioner No.9 is hereby **rejected.**

(Nawneet Kumar Pandey , J)

sanjeev/-

U		T	
---	--	---	--