

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3711 of 2021

Arising Out of PS. Case No.-47 Year-2019 Thana- ISHIPUR District- Bhagalpur

1. GOPAL PODDAR @ GOPPAL KUMAR PODDAR Son of Kishun Poddar @ Krishnadev Poddar Resident of Village-Chhoti Pasaichak, P.S.-Ishipur Barahat, District-Bhagalpur.
2. Dinesh Pandit Son of Prem Lal Pandit Resident of Village-Payalapur, P.S.-Ishipur Barahat, District-Bhagalpur.
3. Subodh Pandit Son of Prem Lal Pandit Resident of Village-Payalapur, P.S.-Ishipur Barahat, District-Bhagalpur.
4. Suresh Ray Sri Mohan Ray @ Govind Ray Resident of Village-Chhoti Pasaichak, P.S.-Ishipur Barahat, District-Bhagalpur.
5. Ranjan Ray @ Ranjan Kumar Son of Late Madho Ray Resident of Village-Chhoti Pasaichak, P.S.-Ishipur Barahat, District-Bhagalpur.
6. Hareram Ray Son of Ganesh Ray Resident of Village-Chhoti Pasaichak, P.S.-Ishipur Barahat, District-Bhagalpur.
7. Santosh Poddar @ Santosh Kumar Poddar Son of Ram Deo Poddar Resident of Village-Chhoti Pasaichak, P.S.-Ishipur Barahat, District-Bhagalpur.
8. Kamlesh Pandey @ Kamlesh Kumar Pandey Son of Bihari Pandey Resident of Village-Sundar Chak, P.S.-Ishipur Barahat, District-Bhagalpur.
9. Raj Kumar Poddar Son of Late Manchu Poddar Resident of Village-Gokul Mathura, P.S.-Ishipur Barahat, District-Bhagalpur.
10. Dilip Kumar Poddar @ Dilip Poddar Son of Raj Kumar Poddar Resident of Village-Chhoti Pasaichak, P.S.-Ishipur Barahat, District-Bhagalpur.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Nath Pandey
For the Opposite Party/s : Mr. C. Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-07-2021 Heard learned counsel for the petitioners and learned
APP for the State through virtual mode.

Learned counsel for the petitioners is directed to
remove the defects, as pointed out by the Office, within a period



of four weeks after restoration of normalcy.

The petitioners are apprehending their arrest in a case registered under Sections 147, 149, 391, 341, 323, 333, 332, 307, 352, 353, 379, 427, 337, 120B of the Indian Penal Code.

The prosecution allegation, in short, is that on a protest over accident took place, the accused persons forming unlawful assembly obstructed the road, assaulted the persons as also damaged the vehicle and attacked on police party.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. The F.I.R. has been instituted after 5 days of the alleged occurrence. Altogether 38 persons are named in the F.I.R. along with 115 unknown persons have been made accused in the present case.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances and



also the lockdown, the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on their personal bonds to the satisfaction of learned A.C.J.M.-VIII, Bhagalpur in connection with Ishipur Barahat P.S. Case No. 47/2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) each 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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