

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.3887 of 2021**

Arising Out of PS. Case No.-251 Year-2020 Thana- GAUTAMBUDHNAGAR District-  
Siwan

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1. DURGA SAH SON OF LATE BABULAL SAH R/O VILLAGE GAUR KATHAK, P.S.- G.B. NAGAR, DISTRICT- SIWAN
  2. RAMLAL SAH SON OF LATE BABULAL SAH R/O VILLAGE GAUR KATHAK, P.S.- G.B. NAGAR, DISTRICT- SIWAN
  3. RANJAN SAH @ RANJAN KUMAR SON OF DHARMNATH SAH R/O VILLAGE GAUR KATHAK, P.S.- G.B. NAGAR, DISTRICT- SIWAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Rajiv Kumar, Adv.  
For the Opposite Party/s : Ms. Anita Kumari Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

3      16-03-2021      Heard the learned counsel for the petitioners and the learned APP for the State, Ms. Anita Kumari Singh.

The petitioners seek regular bail in connection with G.B. Nagar P.S.Case No. 251 of 2020, registered for the offence punishable under Sections 147, 148, 149, 341, 323, 341, 325, 307, 353, 332, 333, 504, 506 of the Indian Penal Code and Section 45 of the Bihar Prohibition and Excise Act.

The allegation is regarding 41 named



accused persons including the petitioners and 150-200 unknown persons having attacked the police party and having prevented them from discharging their official duties.

The learned counsel for the petitioners no. 1 and 2 has submitted that the petitioners are innocent, they have been falsely implicated in the present case, they are having clean antecedent and they are languishing in custody since 22.09.2020. The learned counsel for the petitioners no. 1 and 2 has further submitted that a general and omnibus allegation has been levelled against the accused persons, especially the petitioners herein and no specific allegation of any sort of overt act has been attributed to the petitioners herein. It is further submitted that similarly situated co-accused persons have already been granted bail by a coordinate Bench of this Court vide order dated 26.02.2021 passed in Criminal Miscellaneous No. 40790 of 2020.

Per contra, the learned APP for the State, Ms. Anita Kumari Singh, has vehemently opposed the



prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners no. 1 and 2 and taking into account the materials available on record as also those available in the case diary, this Court finds that a general and omnibus allegation has been levelled against the petitioners no. 1 and 2 as also minuscule evidence is available in the case diary qua them and moreover, similarly situated co-accused persons have already been granted bail by a coordinate Bench of this Court, hence, I deem it fit and proper to direct for release of the petitioners no. 1 and 2 on regular bail.

Accordingly, the above named petitioners no. 1 and 2 are directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge-cum-Special Judge Excise, Siwan in connection with G.B. Nagar P.S.



Case No. 251 of 2020.

(Mohit Kumar Shah, J)

Ajay/-

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