

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5226 of 2021**

Arising Out of PS. Case No.-26 Year-2020 Thana- ISHIPUR District- Bhagalpur

1. BABITA DEVI SON OF MANOJ KUMAR DAS @ MANOJ RAVIDAS Resident of Village - Gandhi Nagar, Purani Bara, P.S.- Ishipur Barahat, Distt.- Bhagalpur.
2. MANOJ KUMAR DAS @ MANOJ RAVIDAS SON OF GHANSHYAM DAS Resident of Village - Gandhi Nagar, Purani Bara, P.S.- Ishipur Barahat, Distt.- Bhagalpur.
3. DILIP RAVIDAS SON OF LATE SURESH RAVIDAS Resident of Village - Gandhi Nagar, Purani Bara, P.S.- Ishipur Barahat, Distt.- Bhagalpur.
4. SHAMBHU DAS @ SHAMBHU RAVIDAS SON OF SURYA NARAYAN DAS @ SURYA NARAYAN RAVIDAS Resident of Village - Gandhi Nagar, Purani Bara, P.S.- Ishipur Barahat, Distt.- Bhagalpur.
5. TINKU KUMAR @ TINKU RAVIDAS SON OF LATE LALMUNI RAVIDAS Resident of Village - Gandhi Nagar, Purani Bara, P.S.- Ishipur Barahat, Distt.- Bhagalpur.
6. FEKU RAVIDAS @ SHRAWAN RAVIDAS SON OF LATE LALMUNI RAVIDAS Resident of Village - Gandhi Nagar, Purani Bara, P.S.- Ishipur Barahat, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar Jha  
For the Opposite Party/s : Mr. N. N. Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

2      12-08-2021      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 188, 269, 272, 147, 148, 149, 341, 323, 448, 353, 307, 427, 333, 337 and 379 of the Indian Penal Code.

The prosecution allegation, in short, is that when the police party reached the place of occurrence, the accused persons started abusing and assaulting on the police party due to which some police personnel received injuries.

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. Specific allegation of assault is alleged against co-accused Pankaj Ravidas. From the order of the Sessions Judge, it appears that the nature of injury is said to be simple. Hence, no offence under Section 307 IPC is made out. At best, it is a case for offence under Section 324 I.P.C.

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

Considering the aforesaid facts and circumstances, 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. 26/2020, corresponding G.R. No. 1639/2020, 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)**

Pankaj/-

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