

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2532 of 2022

Arising Out of PS. Case No.-100 Year-2019 Thana- AKBARNAGAR District- Bhagalpur

1. SAMBIT KUMAR S/o Sadanand Singh Resident of Village- Kheraihiya, P.S.- Akbarnagar, Bhagalpur.
2. Bhawesh Kumar S/o- Niranjana Kumar Resident of Village- Kheraihiya, P.S.- Akbarnagar, Bhagalpur.
3. Manish Kumar S/o Dayanand Singh Resident of Village- Kheraihiya, P.S.- Akbarnagar, Bhagalpur.
4. Mukesh Kumar S/o Ram Khelwan Singh Resident of Village- Kheraihiya, P.S.- Akbarnagar, Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Kumar

For the Opposite Party/s : Mr. Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 27-07-2022 Heard learned counsel for the petitioners and learned APP
for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Akbarnagar P.S. Case no. 100 of 2019 instituted for the offence under Sections 147, 148, 149, 341, 342, 188, 337, 159(A), 353, 323, 30 of the Indian Penal Code.

As per allegation in the FIR, petitioners along with other co-accused persons have created hindrance by pelting stones to the police party in discharging the official duty at the occasion of Muharram.



Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. General and omnibus allegations have been levelled against them. They are only the member of the mob. They have got no criminal antecedent. Name of the petitioners were dragged in this case due to high handedness of police officials. Neither the petitioners were arrested on spot nor any incriminating article has been recovered from their possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioners on bail. The petitioners are directed to surrender in the Court below within a period of four weeks from today and in the event of their arrest or surrender in connection with Akbarnagar P.S. Case no. 100 of 2019, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Bhagalpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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