

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9022 of 2022

Arising Out of PS. Case No.-177 Year-2021 Thana- KARPI District- Jehanabad

1. Gorakh Mochi, Gender-Male, aged about 35 years, S/o Nagina Mochi, Resident of Village- Karpi, P.S.- Harijan Tola, District- Arwal.
2. Chandan Kumar, Gender-Male, aged about 22 years, Son of Jainul Pandit, Resident of Village- Karpi Bazar, P.S.- Karpi, District- Arwal.
3. Krishna Sao, Gender-Male, aged about 52 years, Son of Late Bindeshwar Sao, Resident of Village- Karpi Bazar, P.S.- Karpi, District- Arwal.
4. Nagendra Kumar, Gender-Male, aged about 42 years, Son of Bhusan Singh, Resident of Village- Daashrath Bigha, southern Moithiya, P.S.- Karpi, District- Arwal.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Parashuram Singh, Advocate
For the Opposite Party	:	Mr. Ram Anurag Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-03-2022 Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks.

Learned counsel for the petitioners seeks permission to withdraw the present anticipatory bail application filed on behalf of petitioner no. 1, namely, Gorakh Mochi, as he has been taken into judicial custody in connection with Karpi P.S. Case No. 177/2021, pending in the court of learned A.C.J.M.-IV, Arwal.

Permission is accorded.



Accordingly, the present anticipatory bail application filed on behalf of petitioner no. 1, namely, Gorakh Mochi, is dismissed as withdrawn.

Heard learned counsel for the petitioner nos. 2 to 4 and learned A.P.P. for the State.

Now the petitioner nos. 2 to 4 are apprehending their arrest in connection with Karpi P.S. Case No. 177/2021 for the offence registered under Sections 147, 149, 151, 152, 188, 341, 353, 336, 504, 506 of the I.P.C. and Section 51 of Disaster Management Act, 2005.

The prosecution story, in brief, is that the petitioners and others blocked the road by keeping the dead body of Rajendra Paswan on the road and deterred the public servant in the execution of public duty and also assaulted the police personnel when they were discharging their duties.

It has been submitted by learned counsel for the petitioners that the petitioner nos. 2 to 4 have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against them. They have falsely been implicated in the present case. General and omnibus allegation has been made against them. No specific overt act is alleged against them. A protest was being made against the police



personnel due to an accident which had taken place on the road.
Altogether 12 named persons alongwith 50 unknown persons
have been made accused in the present case.

On behalf of the State, it is submitted that the
petitioner nos. 2 to 4 are named in the F.I.R.

Considering the aforesaid facts and circumstances of
the case, let the petitioners above named, (except petitioner no.
1, Gorakh Mochi) in the event of arrest or surrender before the
learned court below within a period of twelve weeks from today,
be released on anticipatory 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 the learned A.C.J.M.-IV,
Arwal, in connection with Karpi P.S. Case No. 177/2021,
subject to the conditions as laid down under Section 438(2) of
the Code of Criminal Procedure.

(Sudhir Singh, J)

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