

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10461 of 2022

Arising Out of PS. Case No.-425 Year-2021 Thana- SUGAULI District- East Champaran

1. Premlata Kumari D/O Anil Kumar Ram Resident Of Village - Chhapra Bahas, P.S.- Sugauli, Distt.- East Champaran, At Present Vikash Mitra, Sugauli Prakhand, Distt.- East Champaran.
2. Vinay Ram Son Of Anil Kumar Ram Resident Of Village - Chhapra Bahas, P.S.- Sugauli, Distt.- East Champaran, At Present Vikash Mitra, Sugauli Prakhand, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Umesh Chandra Verma- Advocate
		Mr. Abhishek Kumar- Advocate
For the Opposite Party/s	:	Mr. Mukeshwar Dayal- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-09-2022 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 143, 341, 323, 353, 324, 307, 379, 427, 504 and 506 of the Indian Penal Code.

The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and petitioner no.1 is a woman and the informant alleges that on 30.09.2021 at 9.00 A.M. a meeting was organized, named accused persons including the petitioner, who are Vikas Mitra entered the office of B.D.O. and created obstruction in discharging of official duty



and Rishu Kumar and Pramod Kumar caught the hand of the informant and Vinay Ram assaulted by a sharp edged weapon causing injury on head and thereafter, all the accused persons including the petitioner no.1 assaulted him by fists and legs.

The learned counsel for the petitioners submits that from bare perusal of the allegation as alleged in the F.I.R., it would manifest that Vikas Mitra entered the office of the B.D.O. protesting the highhandedness of the officials in dealing with them. It is next submitted that as far as allegation of assault is concerned, the same is alleged against the petitioner no.2. Further, the allegation of assault is general and omnibus in nature. The learned counsel next submits that the occurrence took place on account of highhandedness of the officials in the office of the B.D.O., who were tormenting the Vikas Mitra, as such, they in large number gathered and entered the office where altercation from both sides took place. It is also submitted that from the side of the petitioners also, Sugauli P. S. Case No.429 of 2021 was instituted by one of the Vikas Mitra namely, Ranju Kumar against the present informant. The learned counsel next submits that admittedly, the petitioner no.2 is not a criminal and the occurrence took place on account of the highhandedness of the officials which made the Vikas Mitra



aggrieved.

The learned Additional Public Prosecutor opposes the anticipatory bail application.

Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, are directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sugauli P. S. Case No.425 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Satyavrat Verma, J)

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