

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26296 of 2021

Arising Out of PS. Case No.-259 Year-2018 Thana- BANKA District- Banka

1. MUNNA SINGH Son of Dasrath Singh Resident of Village- Khamari, P.S. and District- Banka.
2. RAHUL SINGH @ RAHUL KUMAR SINGH Son of Barun Singh Resident of Village- Khamari, P.S. and District- Banka.
3. RANJAN @ NIRANJAN SINGH @ NIRANJAN KUMAR SINGH Son of Shyam Sundar Singh Resident of Village- Kateli, P.S. and District- Banka.
4. PRAVIN SINGH @ PRAVIN KUMAR SINGH SHYAM SUNDAR SINGH VILLAGE KATELI PS BANKA
5. ALOK CHOUDHARY Son of Pagla Choudhary Resident of Village- Kateli, P.S. and District- Banka.
6. ROUSHAN CHOUDAHRY Son of Bishundeo Choudhary Resident of Village- Kateli, P.S. and District- Banka.
7. ASHTAM SINGH @ ASHTAM KUMAR SINGH Son of Ramswarath Singh @ Rajan Kumar Singh @ Ashish Singh Resident of Village- Kakwara, P.S. and District- Banka.
8. JIMMI SINGH @ ASISH SINGH Son of Sivendra Singh Resident of Village- Kakwara, P.S. and District- Banka.
9. BIKASH SINGH @ BIKASH KUMAR SINGH Son of Dinesh Singh Resident of Village- Kakwara, P.S. and District- Banka.
10. ROUSHAN SINGH @ ROUSHAN KUMAR SINGH Son of Dev Kumar Singh Resident of Village- Kakwara, P.S. and District- Banka.

... .. 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 APP

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 27-01-2022 At the outset, it is submitted by learned counsel for the petitioner that during pendency of this application, petitioner nos. 1, 2, 7 and 9 have been arrested and, as such, he seeks permission to withdraw this application.

In view of the aforesaid submission, this application is dismissed as withdrawn against petitioner nos. 1, 2, 7 and 9.



Now learned counsel for the petitioner is pressing this application only against petitioner nos. 3 to 6, 8 and 10.

This matter has been taken up for hearing online because of COVID-19 pandemic restrictions.

Heard learned counsel for the petitioners and learned APP for the State.

Learned counsel for the petitioners is expected to honour his undertaking to remove the defects as pointed out by the office when called upon to do so by the office.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Banka P.S. Case no. 259 of 2018 instituted for the offence under Sections 143, 147, 149, 342, 353 and 323 of the Indian Penal Code and Section 3/4 of the Damage to Public Property Act.

As per allegation in the FIR, on the occasion of Bharat Band, several accused persons including the petitioners have blocked the road and created hindrance to the police party in discharging the official duty.

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 the petitioners. There is no allegation of assault against them. Name of the petitioners have been disclosed in this case by local Choukidar by the police, which has no evidentiary value in the eye of law.

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 petitioner nos. 3 to 6, 8 and 10 on bail. The petitioner nos. 3 to 6, 8 and 10 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 Banka P.S. Case no. 259 of 2018, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Banka subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

sushma/-

U		T	
---	--	---	--

