

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20104 of 2022

Arising Out of PS. Case No.-257 Year-2021 Thana- PARAIYA District- Gaya

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1. NANHAK KUMAR @ SHASHIKANT SINGH SON OF SURESH SINGH
R/O VILLAGE- PARSAWAN, P.S.- PARAIYA, DISTRICT- GAYA
 2. VIMLESH SINGH @ VIMLESH KUMAR SINGH @ VIMLESH KUMAR
SON OF MAHENDRA SINGH R/O VILLAGE- PARSAWAN, P.S.-
PARAIYA, DISTRICT- GAYA
 3. SADHU SINGH @ NIRANJAN KUMAR SINGH @ NIRANJAN
KUMAR SON OF MADAN SINGH R/O VILLAGE- PARSAWAN, P.S.-
PARAIYA, DISTRICT- GAYA
 4. JUGNU KUMAR @ ASHWANI KUMAR SON OF AJAY SINGH @ AJAY
KUMAR SINGH R/O VILLAGE- PARSAWAN, P.S.- PARAIYA,
DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ujjawal Kumar Singh, Advocate
For the Opposite Party/s : Ms. Rita Verma, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-06-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Learned counsel for the petitioners submits that during pendency of the present anticipatory bail application petitioner nos. 1, 2 and 4 were arrested and as such the anticipatory bail application against them has become infructuous, thus seeks permission to withdraw the anticipatory bail application with respect to petitioner nos. 1, 2 and 4.

Permission is accorded.



The petitioner no.3 apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 353 and 332 of the Indian Penal Code.

Learned counsel for the petitioner no.3 submits that the petitioner is a person with clean antecedent and the informant alleges that on occasion of Panchayat Election 2021 he was on duty as Magistrate in Paraiya Block with police forces at Booth No. 48 and 49 when at 2:00 pm 40-50 persons assembled near the Election Booth whereas as per rules they had to maintain a distance of 200 metres from the polling booth, hence they were directed to keep away from the polling booth but they did not comply with the direction and the police had to use force to remove them then the accused persons allegedly got aggressive and started attacking the police force by pelting stones on account of which two government vehicles were damaged and some police personnel also received injuries. It is next alleged that eleven of the accused persons, including the petitioners, were identified by local *Chowkidar*, Mahesh Paswan and A.S.I., Arvind Kumar Singh.

Learned counsel for the petitioner no.3 submits that from perusal of the allegation as alleged in the F.I.R. it would manifest that the allegations are general and omnibus in nature



though it is alleged that 40-50 persons started pelting stones causing damage to the government vehicle but there is no injury report of the police personnel on record and the allegation is not specific that what role has been attributed to the petitioner.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner no.3, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Paraiya P.S. Case No. 257 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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