

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20684 of 2022

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

GOURAV KUMAR Son of Ram Chandra Chaudhary Resident of Village-
Sugauli, Bazar, Ward No.8, P.S.- Sugauli, District- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ramashray Rai, Advocate Mr. Dhurendra Kumar, Advocate
For the Opposite Party/s	:	Mr. Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his 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.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that on 30.09.2021 at 9.00 A.M. a meeting was organized when named accused persons, including the petitioner, who are Vikas Mitra entered the office of B.D.O. and created obstruction in discharge 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, assaulted him by fists and legs.

Learned counsel for the petitioner 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 Rishu, Pramod and Vinay, 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 an altercation from both sides took place. It is also submitted that from the side of Vikash Mitra Sugauli P. S. Case No.429 of 2021 was instituted by one of the Vikash Mitra namely, Ranju Kumari against the present informant. The learned counsel next submits that admittedly, the petitioner is not a criminal and the occurrence took place on account of the highhandedness of the officials in dealing with the Vikash Mitra as such they were aggrieved. Learned counsel further submits



that similarly situated co-accused Premlata and Vinay have been granted anticipatory bail *vide* order dated 06.09.2022 in Cr. Misc. No. 10461 of 2022 and Pramod Chaudhary and Radha Kumari have also been granted anticipatory bail *vide* order dated 23.08.2022 in Cr. Misc. No. 6370 of 2022.

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 above-named, 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. 10,000/- (Rupees Ten 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 Sugauli P.S. Case No. 425 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishi/-

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

