

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21194 of 2022

Arising Out of PS. Case No.-385 Year-2021 Thana- KAUWAKOL District- Nawada

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1. Sarvesh Kumar @ Pravesh Kumar, Son Of Bankey Singh Resident Of Village - Rupou, P.S. - Rupou, District - Nawada.
 2. Gorelal Singh, S/O Dani Singh Resident Of Village - Rupou, P.S. - Rupou, District - Nawada.
 3. Suresh Singh, S/O Mahavir Singh Resident Of Village - Rupou, P.S. - Rupou, District - Nawada.
 4. Pappu Singh @ Manoj Kumar, S/O Govind Singh Resident Of Village - Rupou, P.S. - Rupou, District - Nawada.
 5. Mahesh Prasad Singh @ Mahesh Singh, S/O Late Bindeshwari Singh Resident Of Village - Rupou, P.S. - Rupou, District - Nawada.
 6. Rajeev Kumar Ranjan @ Rajeev Singh, S/O Chandrashekhar Prasad Singh @ Mahendra Singh Resident Of Village - Rupou, P.S. - Rupou, District - Nawada.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Nayan

For the Opposite Party/s : Mr. Ram Bilash Roy Raman

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-06-2022 The learned counsel for the petitioners submits that petitioner nos.2, 3 and 5 were arrested during pendency of the present anticipatory bail application, as such, the anticipatory bail application against them have become infructuous and thus, seeks permission to withdraw the same.

Permission is accorded.

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

The petitioner nos.1, 4 and 6 seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 332, 353, 504, 506 of the Indian



Penal Code.

The learned counsel for the petitioners submits that the petitioner nos.1 and 4 are persons with clean antecedent and petitioner no.6 has antecedent of one case and the informant alleges that while on patrolling duty on 24.09.2021, he reached Rupou market and found that the road was blocked and on inquiry, it was revealed that PACS Chairman Dharmendra Kumar @ Pintu Singh had told the farmers that urea fertilizer will be sold from the shop and they were waiting since morning. Since there was no distribution of urea, as such, the farmers had blocked the road. It is next alleged that the informant was trying to pacify the farmers when the PACS Chairman came with his relative and started abusing and assaulting the farmers, thereafter even threatened the police officials to go back otherwise his vehicle will be burnt. It is next alleged that whole incident was recorded by a constable and the video footage is available. It is next alleged that the accused were identified by local Chaukidar based on the video footage.

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 the entire allegation hinges around PACS Chairman Dharmendra Kumar @ Pintu Singh. As far as the



petitioners are concerned, they are also alleged to have come along with the PACS Chairman, but then there is no allegation of damaging any public property. It is next submitted that if the accused had abused and assaulted the farmers, then the case ought to have been instituted by the farmers, but no one came forward to institute any case.

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 Kawakol P. S. Case No.385 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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