

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43109 of 2022

Arising Out of PS. Case No.-203 Year-2018 Thana- GAIGHAT District- Muzaffarpur

SAJJAN KUMAR @ SANJAY KUMAR @ SAJAN S/o Birendra Thakur R/o
village- Bela Gopi Ibrahimpur, P.S.- Gaighat, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar, Advocate

For the Opposite Party/s : Mr. Ramchandra Sahni, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-12-2022 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 147, 148, 149, 341, 323, 324, 379, 307, 332, 333, 427 and 506 of the Indian Penal Code.

The informant alleges that on 22.06.2018 at 7:30 P.M., one passenger bus was going from Muzaffarpur to Darbhanga, when a bus hit an auto rickshaw which was moving ahead of the bus, as a result, the auto rickshaw fell down and the passengers received injuries, thereafter, it is alleged that one of the passenger died on the spot and other injured passengers were taken to a private hospital, when mob of 100-200 people, variously armed, came and blocked the traffic at NH-57 and



vandalized several vehicles and damaged the Toll Plaza in protest of the said incident.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and has been falsely implicated in the present case, it is next submitted that the allegation of assault is general and omnibus in nature, it is also submitted that petitioner being a co-villager had gone to the place of occurrence where he came to know that an accident had taken place in which one person had died, as such, he wanted to verify whether the person who died was known to him or not when a mob gathered and created ruckus. Learned counsel next submits that similarly situated co-accused Amarjeet has been granted anticipatory bail by a learned coordinate Bench on 17.12.2018 in Cr. Misc. No. 70747 of 2018. Learned counsel further submits that till date process under Section 82 Cr.P.C. has not been initiated against 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 above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on



anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Gaighat P.S. Case No. 203 of 2018 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, the learned trial Court before accepting the bail bonds of the petitioner shall verify whether any process under Section 82 Cr.P.C. has been issued or not and in the event, if it is found that process under Section 82 Cr.P.C. has been issued then the present anticipatory bail order shall not be given effect.

(Satyavrat Verma, J)

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