

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66002 of 2021

Arising Out of PS. Case No.-180 Year-2021 Thana- NAVINAGAR District- Aurangabad

1. AASHISH DAS @ AASHISH KUMAR Son of Shambhu Das Resident of Village - Das Mohalla, P.S.- Navinagar, Distt.- Aurangabad, Bihar.
2. Himachal Kumar @ Himachal Saw Son of Bamshankar Prasad @ Bamshankar Gupta Resident of Village - Nayaka Bigha, Mahjid Gali, Mangal Bajar, P.s.- Navinagar, Distt.- Aurangabad.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Rupa Kumari
For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-07-2022 Heard learned counsel for the petitioners and the State.

The petitioners apprehends their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 337, 307, 332, 333, 353, 427, 283, 188 and 504 of the Indian Penal Code read with Sections 3 and 4 of the Prevention of Damage of Public Property Act, 1984.

As per prosecution case, 76 named and 300-400 unknown persons blocked the Navinagar main road by burning tyres and pelted stones over the police. Crowd armed with weapons attacked over the police and put hindrance in discharging their official duty.



Learned counsel for the petitioner submits that from perusal of the allegation as alleged in the F.I.R. it would manifest that no specific overt act has been alleged against these petitioners. No such occurrence, as alleged in the FIR, has taken place.

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

Considering the facts and circumstances of the case, 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, 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 ACJM-I, Aurangabad in connection with Navinagar P.S. Case No. 180 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Prabhat Kumar Singh, J)

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