

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1488 of 2022

Arising Out of PS. Case No.-100 Year-2020 Thana- GAYA MUFASIL District- Gaya

1. MUKESH SAO S/o Maharaj Saw R/o village- Budhgere, P.S.- Muffasil, District- Gaya
2. Rajesh Sao S/o Maharaj Saw R/o village- Budhgere, P.S.- Muffasil, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar, Adv.

For the Opposite Party/s : Mrs.Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-07-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

Learned counsel for the petitioners undertakes to remove the defects within four weeks of resumption of normal court proceedings. In the eventuality of non-removal of defects within stipulated period, office will place the matter before the Bench.

The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 323, 324, 325, 337, 307, 353, 332, 333, 338, 427, 435, 504, 506 of the Indian Penal Code.

The allegation against the petitioners along with other accused persons on account of murder of one Bittu Sao, have



attacked the house of one Guddu Yadav @ Army by carrying lathi, danda, bricks etc. and fire stick made of hay and kerosene oil. They also attacked the police personnel deployed there on duty, due to which, some of the members of police party sustained injuries.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to local village politics. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. Petitioners are only the members of the mob and several similarly situated co-accused have been granted anticipatory bail vide Cr. Misc. No.40966 of 2020 dated 30.07.2021 and vide Cr. Misc. No.41151 of 2020 dated 23.06.2021 passed by co-ordinate Bench of this Court. Petitioners have no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since similarly situated co-accused have been granted anticipatory bail, let the above named petitioners, be released on



bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty 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 Muffasil P.S. Case No.100 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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