

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63671 of 2022

Arising Out of PS. Case No.-258 Year-2021 Thana- TARIYANI CHOWK District- Sheohar

1. GOPAL RAI Son of Late Asharfi Rai Resident of village - Kushahar, P.S.- Tariyani, Distt.- Sheohar
2. Saheb Rai @ Saheb Ray Son of Late Asharfi Rai Resident of village - Kushahar, P.S.- Tariyani, Distt.- Sheohar
3. Arun Rai Son of Prem Chandra Rai Resident of village - Kushahar, P.S.- Tariyani, Distt.- Sheohar
4. Rakesh Rai Son of Prem Chandra Rai Resident of village - Kushahar, P.S.- Tariyani, Distt.- Sheohar
5. Bajrangi Sah Son of Late Nand Kishore Sah Resident of village - Kushahar, P.S.- Tariyani, Distt.- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Jha, Advocate
For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-12-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 342, 323, 353, 307, 332, 337, 283, 427, 504 and 506 of the Indian Penal Code read with Sections 3 and 4 of the Prevention of Damage to Public Property Act.

Learned counsel for the petitioners submits that petitioner nos. 2, 3 and 4 have antecedent of two cases, it is next



submitted that inadvertently at paragraph '3' of the anticipatory bail application it could not be stated that petitioner nos. 1 and 5 are persons with clean antecedent and the informant alleges that on account of an accident, mob had gathered and were protesting, further the petitioners were identified by the *chowkidar* and the informant, it is next alleged that the mob, including the petitioners, were creating ruckus and even assaulted the informant and police force.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case, it is next submitted that even the allegation of assault and abuse is general and omnibus in nature, it is also submitted that since accident had become rampant on the road, as such the villagers were protesting and the petitioners had gone to see the protest and were also participating in it.

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

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, 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 Tariyani P.S. Case No. 258 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

The learned trial court before accepting the bail bonds of petitioner nos. 1 and 5 shall get their criminal antecedents verified and in the event, if it is found that petitioner nos. 1 and 5 have antecedent, then the present anticipatory bail order shall not be acted upon in their favour.

(Satyavrat Verma, J)

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