

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6017 of 2023

Arising Out of PS. Case No.-202 Year-2022 Thana- BIHARIGANJ District- Madhepura

1. MD. RAHIM @ BABLOO @ RAHIM Son of Md. Hasim Resident of Village- Hathiondha, P.S.- Bihariganj, District- Madhepura
2. MD. RASID Son of Md. Rahim @ Babloo Resident of Village- Hathiondha, P.S.- Bihariganj, District- Madhepura
3. MD. MOZAHID @ MOZAHID Son of Md. Firoj Resident of Village- Hathiondha, P.S.- Bihariganj, District- Madhepura
4. MD. SOIB @ MD. SOHAIL Son of Md. Manir Resident of Village- Hathiondha, P.S.- Bihariganj, District- Madhepura
5. MD. AMJAD Son of Md. Manir @ Mani Resident of Village- Hathiondha, P.S.- Bihariganj, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh, Advocate
For the Opposite Party/s : Mr.Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 18-05-2023 Heard the learned counsel for the petitioners and

the learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Bihariganj PS case no. 202 of 2022,
registered for the offences punishable under Sections 307, 353
and other allied sections of the Indian Penal Code.

The case of the prosecution in brief is that on
10.08.2022 at about 14.40 hours, the informant, who is the
Officer-in-charge of the Bihariganj Police Station, got



information that two groups were engaging in riotous behaviour at village- Hathiondha Badgaiya, ward no. 02, whereafter the informant along with police force had proceeded to the said place of occurrence and when they had reached there, they found two groups of people indulging in brick-batting, whereupon the police force had tried to pacify them but instead, they started assaulting the police force, resulting in creation of bad law and order situation as also causing grievous injuries to two police personnel.

The learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in the present case. The learned counsel for the petitioners has further submitted that except petitioner no. 1, all the other petitioners are having a clean antecedent. It is also submitted that a general and omnibus allegation has been levelled against the petitioners, hence, they be granted the privilege of anticipatory bail.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on



record as also considering the fact that admittedly, the accused persons including the petitioner herein had engaged in riotous behaviour, had taken law and order in their own hands and assaulted the police force, resulting in two police personnel received grievous injuries, I do not find the present case to be a fit case for grant of anticipatory bail, hence, the present petition stands dismissed.

(Mohit Kumar Shah, J)

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