

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9387 of 2023

Arising Out of PS. Case No.-359 Year-2020 Thana- BIHTA District- Patna

1. Sandeep Kumar @ Chhattu Ram Son Of Ramjee Ram @ Ramji Ram R/O Vill.- Kauriya, P.S.- Bihta, Distt.- Patna
2. Samad Ram @ Shayam Nandan Ram @ Shyam Nandan Ram Son Of Adhori Ram R/O Vill.- Kauriya, P.S.- Bihta, Distt.- Patna
3. Randhir Ram @ Randhir Kumar @ Randhir Kumar Ram Son Of Chandeshwar Ram R/O Vill.- Kauriya, P.S.- Bihta, Distt.- Patna
4. Patali Ram Son Of Late Gorakh Ram R/O Vill.- Kauriya, P.S.- Bihta, Distt.- Patna

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners, in the present case, are seeking pre-arrest bail in connection with Bihta P.S. Case No. 359/2020 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 427, 332, 333 and 353 of the Indian Penal Code. Petitioner no. 1 has got two criminal antecedent, petitioner nos. 2 and 3 have got one criminal antecedent whereas petitioner no. 4 has no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, the informant has



alleged that while he along with other police officials were on patrolling duty he received information that two groups are quarreling and assaulting each other and when he reached and found that 150 persons of both sides are quarreling and pelting bricks and stones. The informant further alleged that when police party reached in Harizan Toli to materialize the quarrel then 60-70 persons attacked on police party by bricks, lathi, stones etc. They also damaged the police vehicles.

Learned counsel for the petitioners submits that petitioner has been falsely implicated in this case. Learned counsel submits that there is no specific allegation against the petitioners. They were only members of the mob.

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

Having regard to the facts and circumstances of the case wherein the petitioners are said to be the members of the mob of about 60-70 persons who had allegedly threw bricks stones upon the police force, there being no specific allegation against these petitioner and the allegations are general and omnibus, this Court, therefore, directs that in case of their arrest/surrender within a period of four weeks from today, let the petitioners above-named be enlarged on bail on furnishing of



bail bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate - 1st Class, Danapur in connection with Bihta P.S. Case No. 359/2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

Rajeev/-

U		T	
---	--	---	--

