

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6559 of 2023

Arising Out of PS. Case No.-135 Year-2022 Thana- UDAKISHUNGANJ District-
Madhepura

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1. TUNTUN SAH @ JAI PRAKASH SAH S/O LATE BINODI SAH Resident of village- Udakishunganj Main Market, Ward No.- 10, P.S.- Udakishunganj, District- Madhepura.
 2. NITISH KUMAR @ NITISH PASWAN S/O RAMDEO PASWAN Resident of village- Udakishunganj Main Market, Ward No.- 10, P.S.- Udakishunganj, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Singh, Adv
For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-05-2023 Heard Mr. Alok Kumar Singh, learned counsel for the petitioners and Mr. Satya Nand Shukla, learned Additional Public Prosecutor for the State.

2. Petitioners apprehend their arrest in connection with Udakishunganj PS Case No. 135/2022 dated 14.05.2022 registered for the offence punishable under Sections 147, 148, 149, 353, 332, 333, 188, 171(E) of the IPC.

3. The Executive Officer, Nagar Parishad, Udakishunganj has lodged the FIR alleging therein that named accused persons six in number along with 100 unknown persons blocked the State Highway No. 91 and prevented the officials



from removing encroachment, due to which, major incident would have taken place. The accused persons also damaged the JCB machine placed in service by the informant for removing encroachment.

4. Learned counsel for the petitioner submits that the petitioners have falsely been implicated in this case due to village politics and the allegation against the petitioners and other are general and omnibus in nature. He next submits that similarly situated co-accused persons, three in number, have been granted anticipatory bail by the Co-ordinate Bench of this Court *vide* Annexure-2. Petitioners have got no criminal antecedents.

5. Regards being had to the submissions made by the parties, taking into consideration the nature of allegation and the fact that similarly situated persons have been granted anticipatory bail by a Co-ordinate Bench of this Court, I am inclined to grant anticipatory bail to the petitioners.

6. Accordingly, let the petitioners, named above, in the event of arrest or surrender within four weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief



Judicial Magistrate, Udakishunganj, Madhepura in connection
with Udakishunganj PS Case No. 135/2022, subject to the
condition as laid down under Section 438(2) CrPC.

(Anil Kumar Sinha, J)

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