

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18499 of 2023

Arising Out of PS. Case No.-179 Year-2021 Thana- NAVINAGAR District- Aurangabad

1. Ravi Kumar @ Ravi Kumar Chandravanshi, aged about 25 years (male), Son Of Ganesh Prasad @ Ganesh Chandravanshi, Resident Of Village - Janakpur Pokhara, P.S.- Nabinagar, District - Aurangabad (Bihar)
2. Manish Kumar, aged about 27 years (male), Son of Murali Singh @ Alay Chandravanshi, Resident of village - Janakpur Pokhara, P.S.- Nabinagar, District - Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Leelawati Kumari, Advocate

For the Opposite Party/s : Mr. Anand Kishore Choudhary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 14-06-2023 Heard Mrs. Leelawati Kumari, learned counsel appearing on behalf of the petitioners and Mr. Anand Kishore Choudhary, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Nabinagar P.S. Case No. 179 of 2021 dated 05.08.2021 registered for the offence punishable under Sections 147, 148, 149, 323, 337, 338, 307, 332, 333, 353, 427, 435, 504, 283, 188 of the Indian Penal Code and Sections 3, 4 of the Prevention of Damage of Public Property Act, 1984.

3. As per the allegation made in the FIR, 76 named



persons and 300 to 400 unknown persons had started pelting stone and damaged the police vehicle in which a constable was injured. Further allegation is of causing hindrance in discharge of official duty of the police officials.

4. Learned counsel appearing on behalf of the petitioners submitted that there is general and omnibus allegation against the petitioners. There is no specific allegation of any overt act to have been alleged against the petitioners. On these grounds, petitioners seek to be released on bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation made against the petitioners to be general and omnibus and the petitioners, at the best, can be considered as one of the members of the mob, I am of the opinion that petitioners have *prima facie* made out a case to be released on bail.

7. The petitioners are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four 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 learned Chief Judicial Magistrate, Aurangabad



(Bihar) in connection with Nabinagar P.S. Case No. 179 of 2021
dated 05.08.2021, subject to the condition as laid down under
Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

Niraj/-

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