

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21415 of 2023

Arising Out of PS. Case No.-203 Year-2018 Thana- GAIGHAT District- Muzaffarpur

1. ANIL @ ANIL KUMAR S/O SAHDEV RAM R/V- Maithi Chowk Near Toll Plaza, P.S.- Gaighat, District- Muzaffarpur
2. RAJA KUMAR @ RAJA KUMAR RAM @ RAJA S/O SAHDEV RAM R/V- Maithi Chowk Near Toll Plaza, P.S.- Gaighat, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-06-2023 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, 148, 149, 341, 323, 324, 379, 307, 332, 333, 427 and 506 of the Indian Penal Code and under Section 3 Prevention of Damage to Public Property Act, 1984.

Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that on 22.06.2018 at about 07:30 PM, one passenger bus was going from Mazaffarpur to Darbhanga, when the bus hit an auto rickshaw which was moving ahead of the bus, as a



result, the auto rickshaw fell down and the passengers received injuries, thereafter, it is alleged that one of the passengers died on the spot and other injured passengers were taken to a private hospital, when mob of 100-200 people variously armed came and blocked the traffic at NH-57 and vandalized several vehicles and damaged the Toll Plaza in protest of the said incident.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the present case, it is next submitted that allegation of assault is general and omnibus in nature. It is also submitted that petitioners, being co-villager had gone to the place of occurrence where they came to know that an incident had taken place in which one person had died, as such they wanted to verify whether the person who died was known to them or not, when a mob gathered and created ruckus.

Learned counsel for the petitioners next submits that similarly situated co-accused persons persons namely Amarjeet and Sajjan Kumar @ Sanjay Kumar @ Sajan have been granted anticipatory bail by the learned Co-ordinate Bench on 17.12.2018 in Criminal Miscellaneous No. 70747 of 2018 and on 13.12.2022 in Criminal Miscellaneous No. 43109 of 2022 respectively.

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 trial court 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 trial court where the case is pending/successor court in connection with Gaighat P.S. Case No. 203 of 2018 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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