

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24282 of 2023

Arising Out of PS. Case No.-258 Year-2021 Thana- TARIYANI CHOWK District- Sheohar

MUKESH KUMAR Son of Saheb Rai R/V- Kushher, PS-Tariyani, Distt-Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Jha, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 07-07-2023 Heard Mr. Vikash Kumar Jha, learned counsel for the petitioner and Mr. Navin Kumar Pandey, learned Additional Public Prosecutor for the State.

2. Petitioner apprehends his arrest in connection with Tariyani PS Case No. 252/2021 dated 07.11.2021 registered for the offence punishable under Sections 147, 149, 341, 342, 323, 353, 307, 332, 337, 283, 427, 504, 506 of the IPC and Sections 3 & 4 of Prevention of Damage to Public Properties Act.

3. As per prosecution story, in protest of death of a person in road accident, a blockade was made on the road by nineteen named accused persons and about 200 unknown persons. The police arrived on the spot in order to maintain law and order, in the meanwhile, a bus having passengers arrived there and the persons assembled there ransacked and vandalized the bus and upon objection being raised by the police, they were



assaulted, manhandled by the nineteen named accused persons including the present petitioner. Further 200 unknown accused persons joined them and created disturbance near the place of occurrence.

4. Learned counsel for the petitioner submits that the allegation against the petitioner is general and omnibus in nature along with nineteen named accused persons and 200 unknown persons. He further submitted that similarly situated accused persons having general and omnibus allegations have been enlarged on anticipatory bail by the Co-ordinate Benches of this Court *vide* Annexure-3 Series. The petitioner after having completed B.A. examination, is studying MBA Course from Sandip University, Bihar. He next submits that the father of the petitioner is Chairman of PACS and due to political reason, the petitioner has been implicated in the present case and other cases which have been stated in para-3 of this application.

5. Regards being had to the submissions made by the parties, taking into consideration the general and omnibus allegation against the petitioner along with other accused persons who have been enlarged on anticipatory bail by the Co-ordinate Benches of this Court and the petitioner is a pursuing



MBA Course, I am inclined to grant anticipatory bail to the petitioner.

6. Accordingly, let the petitioner, 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) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Sheohar in connection with Tariyani PS Case No. 258/2021, subject to the condition as laid down under Section 438(2) CrPC.

(Anil Kumar Sinha, J)

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