

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32573 of 2023

Arising Out of PS. Case No.-65 Year-2020 Thana- MARANCHI District- Patna

=====

BADRINARAYAN SINGH @ BADRI SINGH Son of Late Nathu Singh @
Nathuni Singh Resident of village - Ramdiri Tola Nakati, P.S.- Matihani in the
district of Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mrs.Gulnar Begum

=====

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Maranchi P.S. Case No. 65 of 2020 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 337, 338, 353, 427, 325, 435, 436, 379, 385, 386, 387, 504, 506, 120(B), 188, 269, 270/34 of the I.P.C. and Section 3 of the Epidemic Disease Act, 1987.

3. As per prosecution case, 290 acres of land was acquired and given by the State Government for construction of S. Dike of N.T.P.C. for which police force was deputed for peaceful construction. On 30.05.2020, the men of N.T.P.C. was doing the work, at that time, at about 11.00 A.M., 100 persons of



village-Ramdiri and Jagatpura came there and tried to stop the work and started throwing stone upon the police force. The police personnel tried to stop them but they attacked on them with Lathi, Danda and Iron rod, as a result of which, informant, informant's driver Subhash Singh and other police personnel became injured. On information, higher police officials also came there but villagers also attacked on them. Several persons who were working there also became injured in the said occurrence. The villagers also damaged two Poklane, two J.C.B., three Tractor and informant's vehicle. They put fire in the Bentonight which was kept under Tripal. After sometime, the officials tried to pacify the matter but the mob was regularly throwing the stones. With the help of officer-in-charge of Matihani police station and local Chowkidar 43 persons were identified who had participated in the said occurrence. The petitioner was one of them. It is further stated that apart from 43 named persons, 150 unknown male and female had also participated in the occurrence.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner bears no criminal antecedent. He further submits that



according to FIR, petitioner is member of mob only. There is no specific allegation against the petitioner rather the same is general and omnibus in nature. He further submits that petitioner never participated in the alleged occurrence. Petitioner is an old person aged about 68 years and is suffering from several ailments. He further submits that at the time of occurrence petitioner was not present at the place of occurrence rather his house is much far away from the place of occurrence. He further submits that co-accused Abhay Kumar Singh @ Sarjan Singh has already been granted privilege of anticipatory bail by the co-ordinate Bench of this court vide Cr. Misc. No. 38114 of 2020. Similarly, co-accused Dilip Yadav has also been granted anticipatory bail by the co-ordinate Bench of this court vide Cr. Misc. No. 59619 of 2022 and the case of present petitioner stands on similar footing.

5. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, co-accused persons have already been granted anticipatory bail by the co-ordinate Bench of this court, argument advanced on behalf of both sides and also taking into consideration the material



available on record, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Barh in connection with Maranchi P.S. Case No. 65 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

shahzad/-

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

