

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42070 of 2023

Arising Out of PS. Case No.-239 Year-2016 Thana- DARBHANGA SADAR District-
Darbhanga

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1. Pappu Yadav S/O Rameshwar Rai R/O Village- Mabbi, Ps. Sadar (Mabbi O.P), Dist. Darbhanga
 2. Guddu Yadav S/O Rameshwar Yadav @ Rameshwar Prasad Yadav R/O Village- Mabbi, Ps. Sadar (Mabbi O.P), Dist. Darbhanga
 3. Mithun S/O Prem Lal Paswan R/O Village- Mabbi, Ps. Sadar (Mabbi O.P), Dist. Darbhanga
 4. Ghanti Paswan @ Bishwanath Paswan S/O Dev Kishun Paswan R/O Village- Mabbi, Ps. Sadar (Mabbi O.P), Dist. Darbhanga

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anjani Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 02-08-2023 Heard Mr. Anjani Kumar Singh, learned counsel for

the petitioners and the State.

The petitioners are apprehending their arrest in connection with Sadar (Mabbi O.P.) P.S. Case No. 239 of 2016 (Tr. No. 1567/23) for the offence under sections 147, 149, 341, 342, 188, 186, 283 and 353 of the I.P.C. lodged on 27.06.2016 by the informant, Ramavatar Paswan.

As per the prosecution story, the allegation is that after the accident took place at NH-57, the public blocked the road and also disturbed the Administration/Police in executing their work. Accordingly, the F.I.R.

It is the case of the learned counsel for the petitioners that hundreds of people were rounded up/implicated, they



amongst them, having no role to play being passers-by. Further, one of the co-accused has since been granted privilege of anticipatory bail vide Cr. Misc. No. 70919 of 2022 on 15.05.2023.

Further, without accepting the allegation and/or the outcome of the present petition, learned counsel for the petitioners submit that they are ready to pay Rs. 500/- each (Rs. 2,000/- total) to the Chief Minister's Relief Fund.

Learned APP opposes the prayer.

Taking into account the aforesaid fact that there is omnibus allegation against the petitioners, they do not have criminal antecedent and one of the co-accused has since been granted the same relief, this Court is inclined to extend them the privilege of anticipatory bail subject to payment of Rs. 2000/- as undertaken by the learned counsel for the petitioner.

Let the petitioners be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned J.M., 1st Class, Darbhanga, in connection with Sadar (Mabbi O.P.) P.S. Case No. 239 of 2016 (Tr. No. 1567/23) subject to the conditions as laid down under Section 438(2) of the Cr.P.C.



(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

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