

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38908 of 2023

Arising Out of PS. Case No.-520 Year-2022 Thana- CHHATAUNI District- East Champaran

1. SITA RAM SAH SON OF LATE JAGARNATH SAH RESIDENT OF VILLAGE- CHHOTA BARIYARPUR, PS- CHHATAUNI, DISTRICT- EAST CHAMPARAN
2. RAHUL KUMAR GUPTA @ RAHUL GUPTA SON OF ASHARFI SAH RESIDENT OF VILLAGE- CHHOTA BARIYARPUR, PS- CHHATAUNI, DISTRICT- EAST CHAMPARAN
3. RAJ RANJAN KUMAR @ RAJ RANJAN SON OF RAMESH KUMAR RESIDENT OF VILLAGE- CHHOTA BARIYARPUR, PS- CHHATAUNI, DISTRICT- EAST CHAMPARAN
4. CHHATHU THAKUR SON OF LATE JAGARNATH THAKUR RESIDENT OF VILLAGE- BARA BARIYARPUR, PS- CHHATAUNI DISTRICT- EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar

For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 28-07-2023 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Chhatauni Police Station Case No. 520 of 2022, dated 06.10.2022, disclosing offences punishable under Sections 147/149/341/323/307/353/332/333/427 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that the petitioners, who are the office bearers of a puja committee, had taken a procession for immersion of deity



during Durga Puja, the persons in the procession were singing and dancing and when the procession reached near the water tower, the members of the procession started hooliganism and also disturbed the traffic passing through the procession, upon which the police requested the petitioners to pacify the members of the procession, but they did not pay any heed to the request of the police, and the hooligans started pelting stones upon the police party.

4. Learned Counsel for the petitioners submits that the petitioners were made accused in this case merely because they are the office bearers of the puja committee and they could not pacify the members of the procession during the course of immersion of deity. He further submits that as per the First Information Report, the allegation of pelting stones is against the members of the procession, altogether 18 named and 50-60 unknown persons.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that there is no specific allegation against the petitioners for creating disturbance, the allegation of pelting stone is



upon a large number of persons and that they happened to be the office bearers of the puja committee, I am inclined to grant the petitioners privilege of anticipatory bail.

6. This application is, accordingly, allowed.
7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran, at Motihari, in connection with Chatauni Police Station Case No. 520 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

