

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41105 of 2023

Arising Out of PS. Case No.-109 Year-2020 Thana- FATEHPUR District- Gaya

1. Madan Chaudhary S/O Karu Chaudhary R/O Village- Jagarnathpur, Kariyadpur, P.S- Fathepur, Distt.- Gaya, Bihar- 824232
2. Biru Sinduriya @ Biru Kumar S/O Kundan Sinduriya R/O Village- Jagarnathpur, Kariyadpur, P.S- Fathepur, Distt.- Gaya, Bihar- 824232
3. Karu Sinduriya @ Vishal Kumar S/O Kundan Sinduriya R/O Village- Jagarnathpur, Kariyadpur, P.S- Fathepur, Distt.- Gaya, Bihar- 824232

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anmol Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 28-07-2023 Heard learned Counsel for the petitioners and
learned APP for the State.

2. The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 109, 147, 148, 149, 332, 337, 353, 153A, 295, 295A, 297, 427, 186, 188, 269, 270, 504 & 506 of the Indian Penal Code read with Section 3 of the Prevention of Damage to Public Property Act, 1984 later on Section 307 of I.P.C. has been added.

3. As per the prosecution, the F.I.R. has been lodged against 65 named and 250-300 unknown accused persons against whom there is allegation that three people got injured in motorcycle accident and the driver of the motorcycle died on

spot. Thereafter, the family members of the deceased along with other persons started making noise and gathered large crowd and started targeting the house of the particular community and also started assaulting and not allowing the police officials to send the dead body for post-mortem. With a view to control the situation, the police party has taken certain steps upon which the accused persons have started pelting stone on the police personnel and also damaged some police vehicles and private vehicles.

4. Counsel for the petitioners submits that the names of the petitioners have falsely been implicated in this case. Counsel submits that there is a general and omnibus allegation against all the accused persons including the petitioners and there is no any act or overt act against the petitioners.

5. Counsel further submits that the other accused persons have been granted bail by the Co-ordinate Bench of this Court vide order dated 08.06.2022 passed in Cr. Misc. No. 33185 of 2021.

6. Learned APP for the State opposes the prayer for bail.

7. In the present facts and circumstances, let the above named petitioners be released on anticipatory bail, in the event

of arrest or surrender before the learned Court below within a period of 6 weeks from today, on furnishing bail bond to the satisfaction of the learned A.C.J.M.-X, Gaya in connection with Fatehpur P. S. Case No.109 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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