

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45885 of 2023

Arising Out of PS. Case No.-573 Year-2021 Thana- MOTIHARI MUFASIL District- East
Champaran

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1. GANESH KUMAR Son of Shankar Sahni Resident of village - Basmanpur (Sataura), P.S. - Muffasil Motihari, Distt. - East Champaran
 2. Sant Kumar Son of Lalan Sahni Resident of village - Basmanpur (Sataura), P.S. - Muffasil Motihari, Distt. - East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 04-08-2023
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 Motihari Mufassil Police Station Case No. 573 of 2021, dated 28.10.2021, disclosing offences punishable under Sections 147/148/149/188/341/323/307/332/333/427/504 of the Indian Penal Code.
 3. The prosecution case, as per the First Information Report, is that 52 named accused persons and 150 unknown persons pelted stones on police party, when the police party prevented the mob from assaulting the road snatchers.



4. Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in this case on the basis of general and omnibus allegation and the name of the petitioners have come on the basis of the disclosure of their name by the local Chowkidar. He further submits that 22 co-accused persons have been granted anticipatory bail by co-ordinate Bench of this Court, vide Annexure-2 series.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the allegation against the petitioner is general and omnibus in nature and similarly situated 22 co-accused persons have been granted anticipatory bail by this Court, 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 Motihari
Mufassil Police Station Case No. 573 of 2021, subject to
the condition laid down under Section 438 (2) of the Code
of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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