

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42232 of 2023

Arising Out of PS. Case No.-109 Year-2023 Thana- SANGRAMPUR District- East
Champaran

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Ginni Singh @ Vishal Kumar Kashyap S/O- Rajeshwar Prasad Singh Village-
Sangrampur Po Ps- Sangrampur Dist- E. Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Pallavi Pandey, Adv.

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 02-08-2023 Heard Ms. Pallavi Pandey, learned counsel appearing

on behalf of the petitioner and Mr. Damodar Prasad Tiwary,

learned Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Sangrampur P.S. Case No. 109 of 2023, registered for the
offences punishable under Sections 147, 149, 353, 290 of the
Indian Penal Code and Sections 3/4 of the Prevention of
Damage to Public Property Act.

3. It is alleged that in support of one Manish Kashyap
their supporters have blocked the public road and also started
burning tyre and created nuisance. On aforesaid information, the
police reached at the place of occurrence, however, the accused
persons, including the petitioner, made obstruction to the police



party in discharge of their official duty.

4. Learned counsel appearing on behalf of the petitioner submits that the FIR has been instituted against the five named accused persons and 15-20 unknown persons with omnibus allegation and neither any injury has caused to any person nor there is any allegation of overt act against the petitioner. He next submits that the petitioner was only a passerby as he is the resident of the same place, his name has been implicated at the instance of the local Chowkidar. That apart, the petitioner bears fair antecedent and undertakes that he will fully cooperate in the investigation.

5. On the other hand, learned counsel for the State opposes the bail application and submits that the petitioner has made obstruction in discharging of public duty and, as such, he does not deserve the privilege of anticipatory bail.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation, coupled with the fair antecedent of the petitioner, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand)



with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran in connection with Sangrampur P.S. Case No. 109 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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