

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52275 of 2022

Arising Out of PS. Case No.-30 Year-2017 Thana- POTHIIYA District- Kishanganj

1. Amar Nath Saha S/o Hari Narayan Sah Resident of Village- Pothiya, P.S.- Pothiya in the district of Kishanganj.
2. Prem Saha S/o Late Nathuni Sah Resident of Village- Pothiya, P.S.- Pothiya in the district of Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Advocate

For the Opposite Party/s : Mr.Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 13-01-2023 Heard learned counsel for the petitioners and learned
APP for the State in Virtual Court Proceeding.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The petitioners are apprehending arrest in
connection with Pothiya P.S. Case No. 30 of 2017 under
sections 147, 148, 149, 452, 341, 332, 333, 307, 353, 186, 379,
436, 427, 120B of the Indian Penal Code and 3/4 of Prevention
of Damage of Public Property Act, 1984.

As per the prosecution story, Raju Hansda and
Dilip Harijan were caught in intoxicated condition and sent to
medical examination. During medical examination, Raju
Hansda tried to escape and jumped the wall of the hospital. He
was injured and taken for treatment. Upon knowledge, 300-400
people entered the police station, created ruckus and also



assaulted some of the police officials.

From perusal of the petition, it shows that omnibus allegation has been made against most of the persons and further some of the similar situate accused persons have since been granted relief by a coordinate bench of this Court in Cr. Misc. No. 40997 of 2020 as also Cr. Misc. No. 2320 of 2022 and the petitioners do not have any criminal antecedents.

Taking into account the aforesaid facts, this Court is inclined to grant them relief.

Let the petitioners be released on bail, in the event of their 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 Sub-Divisional Judicial Magistrate, Kishanganj, in connection with Pothiya P.S. Case No. 30 of 2017 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

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