

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.55737 of 2023**

Arising Out of PS. Case No.-226 Year-2023 Thana- UDWANTNAGAR District- Bhojpur

1. SANTOSH KUMAR SON OF AMBIKA CHAUDHARY RESIDENT OF VILLAGE- DARIYAPUR, P.S. - UDWANT NAGAR, DISTRICT - BHOJPUR
2. AMBIKA CHAUDHARY SON OF KHAKHANU CHAUDHARY @ JALEBI CHAUDHARY RESIDENT OF VILLAGE- DARIYAPUR, P.S. - UDWANT NAGAR, DISTRICT - BHOJPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Raju Kumar Singh  
For the Opposite Party/s : Mr.Tarun Prasad Mandal

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

3      10-10-2023              Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 353, 307, 427, 504 and 506 of the Indian Penal Code.

3. The prosecution case, in brief, is that on the alleged date and time of occurrence, when the Circle Officer along with others went to remove encroachments by means of JCB vehicle, five FIR named accused persons, including the petitioners herein, and twenty five unknown villagers tried to



obstruct the government officials from discharging their duties, damaged the said JCB vehicle and pelted stones on the government officials.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and committed no offence. No such occurrence as alleged ever took place. Petitioners have been falsely implicated in this case due to ulterior motive. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. They are merely members of the mob. Similarly situated co-accused have been enlarged on bail by a coordinate Bench of this Court in Cr. Misc. No. 53648 of 2023 vide order dated 23.08.2023. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, as similarly situated co-accused have been granted bail, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand)



each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Udwantnagar P.S. Case No. 226 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

**(Anjani Kumar Sharan, J)**

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