

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53648 of 2023

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

1. Sunil Sah S/O Radheshyam Sah R/O Village- Dariyapur, P.S- Udwanthnagar, Distt.- Bhojpur.
2. Subodh Kumar S/O Nagina Sah R/O Village- Dariyapur, P.S- Udwanthnagar, Distt.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 23-08-2023 1. Heard the learned counsel for the petitioners and learned APP for the State.
2. This is an application for grant of anticipatory bail in connection with Udwanthnagar P.S. Case No.226 of 2023, registered for offences under Sections 147, 149, 341, 323, 353, 307, 427, 504 and 506 of the IPC.
3. The allegation is regarding the Circle Officer along with others having gone to remove encroachments, on the alleged date and time of occurrence, by means of JCB vehicle, however, five FIR named accused persons, including the



petitioners herein, and twenty five unknown villagers had tried to obstruct the government officials from discharging of their official duties, had damaged JCB vehicle and had also engaged in throwing stones on the government officials.

4. The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners has further submitted that a general and omnibus allegation has been levelled against the petitioners, hence they be granted the benefit of doubt for the purposes of grant of anticipatory bail.

5. *Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that a general and omnibus allegation has been



levelled against the petitioners, apart from the fact that they are having a clean antecedent, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

7. Accordingly, the above named petitioners are directed to be enlarged on anticipatory bail, in the event of their 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, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Udwantnagar P.S. Case No.226 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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