

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62434 of 2023

Arising Out of PS. Case No.-239 Year-2016 Thana- DARBHANGA SADAR District-
Darbhanga

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1. AMIT KUMAR PASWAN Son of Kusum Paswan Resident of Village-Mabbi, P.S.-Sadar (Mabbi O.P.), District-Darbhangha
 2. ALOK KUMAR @ RAJ KUMAR @ BITTU Son of Late Gaffar Resident of Village-Mabbi, P.S.-Sadar (Mabbi O.P.), District-Darbhangha

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra

For the Opposite Party/s : Mr. Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 2 06-11-2023 Learned counsel for the petitioners is permitted to remove the defect (s), as pointed out by the office, during course of the day.
2. Heard learned counsel for the petitioners and learned A.P.P. for the State.
3. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 342, 188, 186, 283 and 354 of the Indian Penal Code.
4. Petitioners along with two hundred persons after forming a mob are said to have blocked the road and they also created disturbance in discharging the official duty of the police personnel.
5. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. Petitioners have



been falsely implicated in this case on the basis of identification made by local chowkidar due to dirty village politics. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Similarly situated co-accused, namely, Sita Ram Mahto and others have been enlarged on bail by a co-ordinate bench of this court vide order dated 15.05.2023 passed in Cr. Misc. No. 70919 of 2022. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

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

7. Having regard to the facts and circumstances of the case, 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 Sadar (Mabbi O.P.) P.S. Case No.239 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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