

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58650 of 2022

Arising Out of PS. Case No.-234 Year-2022 Thana- BARH District- Patna

1. BABLU TANTI @ BABLU DAS S/o Late Chhannu Tanti Resident of Village- Shah Salempur, Police Station- Barh, District- Patna.
2. Ravindra Paswan @ Ravindra Kumar S/o Vijay Paswan Resident of Village- Shah Salempur, Police Station- Barh, District- Patna.
3. Anil Paswan S/o Umesh Das Resident of Village- Shah Salempur, Police Station- Barh, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap, Adv.
For the Opposite Party/s : Mr.Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-02-2023 Heard learned counsel for the petitioners and the State.

The petitioners apprehend their arrest in connection with Barh P.S. Case No. 234 of 2022 for the offence registered under Sections 147, 148, 149, 152, 189, 322, 341, 323, 307, 353, 427, 504 and 506 of the Indian Penal Code.

As per the prosecution story, after the accident occurred at National Highway-31, allegation is that around 100-170 persons assembled there which included this petitioner who put blockade. As a result, number of vehicles including the school bus and ambulance got stranded and subsequently, when



the police tried to remove the blockade, stones were thrown and some vehicles were also damaged.

Learned counsel for the petitioners submit that the entire people of the local area have been roped in as accused and in that backdrop, the petitioner who do not have criminal antecedent, deserves relief.

Further learned counsel for the petitioners, on instruction submit that irrespective of the outcome of the present petitioner, the three petitioners intend to pay Rs. 5,000/- each to the Chief Minister's Relief Fund through Demand Draft issued by the local State Bank of India branch.

Learned APP for the State opposes the prayer for anticipatory bail.

Taking into account the fact that the allegation is omnibus in nature against 100-170 people, the petitioner do not have criminal antecedent, this Court is inclined to grant relief to the petitioner, subject to payment of Rs. 15,000/-, as stated above and with further condition that they shall appear before the concerned police station every fortnight for next six months to mark their attendance.

Let the petitioners, in the event of arrest or surrender within a period of four weeks from the date of receipt of the



order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 1st, Barh, Patna, in connection with Barh P.S. Case No. 234 of 2022, subject to condition as laid down under Section 438(2) of the Cr.P.C and with further conditions :

(i) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

(ii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(iii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself.

(Rajiv Roy, J)

Ajay Singh/-

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