

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 58704 of 2023

Arising Out of PS. Case No.-145 Year-2023 Thana- SAHARSA SADAR District- Saharsa

1. Anil Sah S/O Nemani Sah R/O Village- Bishanpur, P.S- Sonbarsa Kachahari, Distt.- Saharsa.
2. Bindu Kumar @ Vindu Sah @ Bindu Sah @ Vindoo Sah S/O Parmeshwari Sah R/O Village- Bishanpur, P.S- Sonbarsa Kachahari, Distt.- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Adv.

For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-09-2023 Heard learned Counsel for the petitioners and
learned APP for the State.

2. The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 353 of the Indian Penal Code.

3. As per the prosecution, the FIR has been lodged against 9 named and 15-20 unknown accused persons. From the F.I.R., it transpires that after an accident took place on the road, the petitioners along with other accused persons have stopped the road for about 4 ½ hours. They were also created hurdle in Government work. It is due to this reason, the name of petitioners and others have come in this F.I.R..

4. Counsel for the petitioners submits that petitioners are innocent and have committed no offence. He submits that the petitioners are resident of the locality and due to the accident took place on open road, the public at large have stopped the movement with a view to take quick action by the administration, but the administration has lodged criminal case against the petitioners and others.

5. Counsel further submits that there is nothing specific in the F.I.R. as to what illegality they have committed, save and except that they have created hurdle in Government work.

6. Counsel further submits that petitioners are resident of the locality and unfortunately, they were also present at the time of said occurrence there and only due to this reason, police have lodged criminal case against the petitioners.

7. Counsel further submits that there is one criminal case pending against both the petitioners in which they are on bail.

8. Learned APP for the State opposes the prayer for bail, but submits that there is general and omnibus allegation against the present petitioners.

9. In the present facts and circumstances, let the above

named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty Thousand Only) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar (Sonbarsa Kachhari) P. S. Case No.145 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dr. Anshuman, J.)

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