

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58018 of 2022

Arising Out of PS. Case No.-601 Year-2015 Thana- LAKHISARAI District- Lakhisarai

1. SANJAY RAM SON OF JHULO RAM
 2. MUSHAHRU RAM SON OF LATE BINO RAM
 3. GORELAL RAM SON OF LATE BISHO RAM
- All are R/O VILLAGE- NAWABGANJ, P.S.- SURAJGARHA, DISTT.-
LAKHSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Advocate

For the Opposite Party/s : Mr.Raj Ballabh Singh, App

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 11-04-2023 Heard learned counsel for the petitioners and the
learned APP for the State.

Petitioners seek regular bail in connection with
Lakhisarai P.S. Case No. 601 of 2015 dated 02.09.2015
registered for the offences punishable under Sections 147, 149,
353 and 332 of the Indian Penal Code.

As per the prosecution, the informant alleged that
relatives of the victim girl and around 100 unknown persons
barged into the court premises and tried to refrain the victim girl
from making her statement under section 164 of Cr.P.C. before
the court. Thereafter, all of the accused persons pelted stones
and bricks at the informant and his associates due to which they



sustained injuries.

The main submissions advanced by the learned counsel for the petitioners are that about 100 unknown persons were alleged to have committed the alleged occurrence and during the investigation, the petitioners were alleged to be part of the said mob but at the time of commission of the alleged occurrence, they were not identified and the prosecution has not revealed any specific role of any of the petitioners in the commission of the alleged occurrence and the FIR has been registered under Sections 147, 149, 353 and 332 of the Indian Penal Code. Further submissions are that all the petitioners have fair and clean antecedent and they have been languishing in jail since 19.07.2022 and similarly situated co-accused Anil Ram has been granted bail by a co-ordinate Bench of this Court vide order passed in Cr. Misc. No. 62265 of 2022.

Learned APP appearing for the State has opposed the bail prayer and submitted that there is a serious allegation against the petitioners and they do not deserve to the privilege of bail.

Having considered the above submissions and mainly the facts that the allegation of pelting stones at the police personnel in the court premises is against a crowd consisting of



about 100 persons and the prosecution has failed to reveal any specific role of any of the petitioners in the alleged crime and petitioners have fair and clean antecedent and in the case diary, there are injury reports of three persons which show that they sustained simple injuries, in the opinion of this Court a lenient approach can be taken in respect of the petitioners’ prayer, let the petitioners be released on bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Lakhisarai P.S. Case No. 601 of 2015.

(Shailendra Singh, J)

Sanjay/-

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