

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61788 of 2023

Arising Out of PS. Case No.-68 Year-2016 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

=====

BALDEO CHOUDHARY S/O SHIYA SHARAN CHOUDHARY R/O
VILLAGE- LAGUNIA SURYAKATH, PS. SAMASTIPUR (MUFASSIL),
DIST. SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Dr. Om Prakash Om

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 11-10-2023 1. Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Mufassil Police Station Case No. 68 of 2016,
disclosing offences punishable under Sections
143/341/323/353/427/379/504/506 of the Indian Penal
Code.
3. The prosecution case, as per the First Information Report,
is that the work of electrification was going on in the
village by the BSPTCL, Samastipur, during which some
resistance were made by the petitioner along with other
villagers. It has further been alleged that the petitioner,
along with other villagers, raised slogans against the



administration and assaulted the workmen engaged in the electrification work.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and no injury has been sustained by the workmen. He next submits that co-accused persons, namely, Birendra Bhagat and Nagendra Bhagat, have been granted anticipatory bail by a co-ordinate Bench of this Court, vide order, dated 21.12.2018, passed in Criminal Misc. No. 74244 of 2018.
5. With regard to the petitioner having approached this Court after a long period, learned Counsel submits that in the year 2016 itself, a compromise petition has been filed before the learned Sub Divisional Judicial Magistrate, Samastipur, duly signed by both the parties. Therefore, there is delay in approaching the Court for grant of anticipatory bail.
6. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that none of the workmen have sustained injury and co-accused persons have been granted privilege of anticipatory bail by this Court, I am inclined to grant the



petitioner privilege of anticipatory bail.

7. This application is, accordingly, allowed.
8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Chief Judicial Magistrate, Samastipur, in connection with Mufassil Police Station Case No. 68 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	√	T	√
---	---	---	---

