

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68456 of 2023

Arising Out of PS. Case No.-22 Year-2023 Thana- LAUKAHA District- Madhubani

1. Md. Mukhtar Kha @ Mukhattar Kha, Son Of Late Siraj Khan @ Siraj Kha Resident Of Village -Lalmaniya, P.S.- Lalmaniya (OP), Distt- Madhubani
2. Sreedeo Sahu @ Sreedeo Sah Son Of Late Vilatu Sahu @ Viltu Sah Resident Of Village -Lalmaniya, P.S.- Lalmaniya (OP), Distt- Madhubani
3. Mahendra Mahto Son Of Late Dasai Mahto @ Dasay Mahto Resident Of Village -Lalmaniya, P.S.- Lalmaniya (OP), Distt- Madhubani
4. Ratneshwar Prasad Sah Son Of Ravindranath Sah @ Ravi Sah Resident Of Village -Lalmaniya, P.S.- Lalmaniya (OP), Distt- Madhubani
5. Gurudeo Sahu @ Gurudeo Sah Son Of Late Vilatu Sahu @ Viltu Sah Resident Of Village -Lalmaniya, P.S.- Lalmaniya (OP), Distt- Madhubani
6. Yugal Kishor Pandit @ Yugal Pandit Son Of Late Mahendra Pandit Resident Of Village -Lalmaniya, P.S.- Lalmaniya (OP), Distt- Madhubani
7. Jibachh Kumar Mahto @ Jivachh Matho Son Of Laxminarayan Pandit Resident Of Village -Lalmaniya, P.S.- Lalmaniya (OP), Distt- Madhubani
8. Mukesh Kumar Pandit @ Mukesh Pandit Son Of Laxminarayan Pandit Resident Of Village -Lalmaniya, P.S.- Lalmaniya (OP), Distt- Madhubani
9. Umesh Kumar Pandit @ Umesh Pandit Son Of Late Upendra Pandit Resident Of Village -Lalmaniya, P.S.- Lalmaniya (OP), Distt- Madhubani
10. Ibrahim @ Ebrahim Mansuri Son Of Sakur Mansuri Resident Of Village -Lalmaniya, P.S.- Lalmaniya (OP), Distt- Madhubani
11. Pandit Tribhuwan Trilok @ Trilok Pandit Son Of Late Satyadev Pandit Resident Of Village -Lalmaniya, P.S.- Lalmaniya (OP), Distt- Madhubani

... .. Petitioners

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners in the present case are seeking pre-
arrest bail in connection with Laukaha (Lalmaniya O.P.) P.S. Case



No. 22 of 2023 registered for the offences punishable under Sections 341, 342, 323, 148, 427, 353, 188, 332, 333, 504, 506 and 120(B) of the Indian Penal Code. Petitioner nos. 2, 4 and 5 have got one criminal antecedent in which they are on bail and rest of the petitioners are persons with clean antecedent.

3. As per the prosecution story, on 27.01.2023 at 4.15 pm, a lady met with an accident and died at the spot and due to night, her body could not be handed over to the family. On the next day, when her dead body was being taken to hospital for post-mortem, all the accused persons including the petitioners and 100 unknown started creating ruckus by burning tyres and blocked the road by bamboos. They took the dead body from the ambulance and put it on the N.H. 104. It is alleged that the crowd also tried to burn the *chowkidar*.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. It is submitted that there are no specific allegations against the petitioners rather the allegations are general and omnibus in nature. It is further submitted that altogether 100 unknown persons have been made accused in the present case.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners.

6. Having regard to the facts and circumstances of the



case wherein the allegations have been made not only against the petitioners but against 100 unknown persons and no specific role has been assigned to the petitioners, the allegations being general and omnibus, this Court directs that in case of their arrest or surrender within a period of six weeks from today, the petitioners above named be released on bail in connection with Laukaha (Lalmaniya O.P.) P.S. Case No. 22 of 2023 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 learned S.D.J.M, Jhanjharpur (Madhubani), subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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