

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69425 of 2023

Arising Out of PS. Case No.-333 Year-2022 Thana- UJIYARPUR District- Samastipur

1. Vishal Kumar @ Jitendra Kumar Son Of Birju Sah @ Virju Sah Resident Of Village- Satanpur, Ps- Ujiyarpur, Samastipur, Bihar
2. Parduman Kumar Son Of Devi Sah Resident Of Village- Satanpur, Ps- Ujiyarpur, Samastipur, Bihar
3. Dharamvir Sah @ Dharmendra Kumar Son Of Dhanu Sah Resident Of Village- Satanpur, Ps- Ujiyarpur, Samastipur, Bihar
4. Jitu Sah Son Of Govind Sah Resident Of Village- Satanpur, Ps- Ujiyarpur, Samastipur, Bihar
5. Sunil Kumar Son Of Tuna Sah Resident Of Village- Satanpur, P.S- Ujiyarpur, Samastipur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Piyush Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 2 08-11-2023 1. Heard learned counsel for the petitioners and the learned APP for the State.
2. The petitioners apprehend their arrest in connection with Ujiyarpur P.S. Case No. 333 of 2022 (G.R. No. 795 of 2022 dated 10.10.2022 registered for the offence(s) punishable under Section(s) 147, 149, 341, 323, 332, 354B, 353, 379, 427, 504 of the Indian Penal Code.
3. The main submissions advanced by the learned counsel for the petitioners are that as per the FIR, on account of



death of a son of one Surendra Sah in a motor accident, a mob consisting of more than 150 persons started protesting on the National Highway and blocked the same and the petitioners have been named in the FIR but against any of them, there is no any specific allegation and so far as the allegation of stripping the female artists belonging to Gulab Vikash Theater is concerned, the entire mob was alleged to have committed the said occurrence but any specific role of the petitioners has not been revealed. Further submissions are that the petitioners have got no criminal antecedent and altogether 19 persons including the petitioners have been named in the FIR and more than 100 unknown persons have also been made accused in the FIR and the alleged occurrence was not pre-planned and the same took place in the spur of moment on account of death of a child.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioners.

5. Considering the above submissions and mainly the fact, that a mob consisting of more than 100 persons is alleged to have committed the alleged occurrence though the petitioners are stated to be the members of the said mob but any specific role of any of them has not been revealed in the FIR and they have got no criminal antecedent, in my opinion, the



petitioners deserve to the privilege of anticipatory bail. Accordingly, let the petitioners named-above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Ujiyarpur P.S. Case No. 333 of 2022 (G.R. No. 795 of 2022 on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. ,

(Shailendra Singh, J)

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