

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68608 of 2023**

Arising Out of PS. Case No.-57 Year-2022 Thana- WAJIRGANJ District- Gaya

1. Bablu Rajvanshi Son Of Lakhan Rajvanshi Residence Of Village Rasalplur, Nataki Mahua Gayan @ Mahugain, P.O-Tarwan, P.S-Wazirganj, District-Gaya
2. Gautam Rajvanshi Son Of Girja Rajvanshi Residence Of Village-Rasalpur, Nataki Mahua Gayan @ Mahugain, P.S-Fatehpur, District-Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pintu Kumar Patel, Advocate
For the Opposite Party/s : Dr.Mrityunjaya Kr.Gautam, 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 Wazirganj P.S. Case No.57 of 2022 registered for the offences punishable under Sections 147, 148, 149, 323, 307, 353, 427 and 188 of the Indian Penal Code. Both the petitioners have made accused in one case as stated in paragraph '3' of the application.

3. As per the prosecution story, on 07.02.2022 when the informant and other police personnel were on patrolling duty he received information that some persons are dancing on the road on obscene songs and also disturbing the people who are



passing thereby. It is alleged that on this information, the informant reached there and when attempted to stop them in the meantime 30-40 persons came lashed with lathi and danda and attacked on the police party due to which they suffered injury.

4. Learned counsel for the petitioners submits that in the FIR there are altogether 18 named and 20-25 unknown persons against whom there are general and omnibus allegations. Learned counsel submits that there is no specific allegation against these petitioners of commission of any overt act and the allegation of giving a slap hit to the police party is against the co-accused Chotu Manjhi.

5. Learned A.P.P. 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 it is submitted that in the FIR there are altogether 18 named and 20-25 unknown persons against whom there are general and omnibus allegations, there is no specific allegation against these petitioners of commission of any overt act and the allegation of giving a slap hit to the police party is against the co-accused Chotu Manjhi, this Court directs that in case of their arrest/surrender within a period of six weeks from today, let the petitioners above-named be enlarged on bail on furnishing bail



bond of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Gaya in connection with Wazirganj P.S. Case No. 57 of 2022, 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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