

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65927 of 2022

Arising Out of PS. Case No.-359 Year-2020 Thana- BIHTA District- Patna

1. Bharosa Ram Son Of Dasai Ram R/O Village- Kauriya, P.S.- Bihta, District- Patna
2. Krishnandan Ram Son Of Ram Dev Ram R/O Village- Kauriya, P.S.- Bihta, District- Patna
3. Nawal Ram Son Of Babulal Ram R/O Village- Kauriya, P.S.- Bihta, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rana Baljit Singh, Advocate

For the Opposite Party/s : Mr.Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 11-04-2023

Heard the parties.

The petitioners are apprehending arrest in connection with Bihta P.S. Case No. 359 of 2020 under sections 147, 148, 149, 341, 323, 307, 427, 332, 333 and 353 of the Indian Penal Code lodged on 22.05.2020 by the informant namely Awadhesh Kumar Jha.

The prosecution story, in brief, is that the informant Awadhesh Kumar Jha, alleged that on 22.05.2020 in course of the evening patrolling, alongwith police forces he departed from the police station and in course whereof, an information was received through the Senior Officer and the villagers about fight between two parties in village Kaudiya. On this information, when the patrol party reached village Kaudiya at around 20.00 hrs, they saw about 150 people from both sides and resorting to



bricks and stone. As the police tried to pacify them as also nab the culprits, they started running towards their respective homes. In the process, when the police reached 'Harijan Toli' 60-70 people tried to assault the police party with 'lathi', 'danda' and stones in course whereof, informant got injury on his head with 'lathi'. The police somehow managed to come out from there. The people also damaged the police vehicle. Accordingly, the F.I.R.

Learned counsel for the petitioners submit that omnibus allegation has been made against the number of people and the entire villagers have been roped in the process and it cannot be said that the assault is attributed to these petitioners. In fact, they being the native of the same village, have been implicated in the matter.

It has further been submitted that without accepting the allegation, all these three petitioners are ready to contribute Rs. 5000/- each to the Chief Minister's Relief Fund irrespective of the outcome of the present case.

The last submission is that some of the co-accused persons have been granted relief by a coordinate bench of this Court in Cr. Misc. No. 69693 of 2021 dated 19.7.2022.

Let the same be kept on record.



In view of the aforesaid fact that omnibus allegation is there and some of the co-accused as stated above have been granted the said relief, this Court is inclined to extend them the same relief subject to payment of Rs. 15,000/- jointly by the three petitioners to the Chief Minister's Relief Fund and the receipt thereof will be submitted before the concerned Court.

Let the petitioners be released on bail, in the event of their arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Danapur, Patna, in connection with Bihta P.S. Case No. 359 of 2020 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

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