

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71009 of 2023

Arising Out of PS. Case No.-255 Year-2021 Thana- BENIPATTI District- Madhubani

1. Bashisht Narayan Jha @ Bashisht Kumar Jha S/O Lakshmeshwar Jha Village- Tyoth, Ward No. 1, Ps. Benipatti, Dist. Madhubani
2. Binod Kumar @ Binod Jha S/O Devchand Jha Village- Tyoth, Ps. Benipatti, Dist. Madhubani
3. Satlesar Paswan @ Satleshwar Paswan S/O Ramswarup Paswan Village- Tyoth, Ps. Benipatti, Dist. Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-11-2023 Heard learned counsel for the petitioners, and
learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147,149,188, 341, 342, 323, 332, 353, 283, 505 of the Indian Penal Code and section 9 of Bihar Control of the use and play of Loud Speaker Act 1955.

3. As per the prosecution case, two groups of people were protesting on the road during voting for Election of Mukhiya. They were raising slogans and trying to obstruct in discharge of official duties. The petitioners are the members of the mob.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this



case. There is general and omnibus allegation levelled against the petitioners. He submits that petitioners are only the member of mob and FIR has been lodged against known. He further submits that similarly situated co-accused persons have already been granted anticipatory bail vide order dated 12.12.2022 passed in Cr. Misc. No. 50865 of 2022. The petitioners have no criminal antecedent as stated in para-3 of this application.

5. Learned APP for the State opposes the prayer for bail and submits that petitioners.

6. Considering the facts that there is no specific overt act has been attributed against the petitioners, let the above named petitioners in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail 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 the learned court below where the case is pending/successor court in connection with Benipatti P.S. Case No. 255 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

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(Anjani Kumar Sharan, J)

