

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72939 of 2023

Arising Out of PS. Case No.-139 Year-2021 Thana- DAUDNAGAR District- Aurangabad

SUKHARAJ RAM, Son of Late Rajgir Ram R/o vill - Bardari, P.S. -
Daudnagar, Distt. - Aurangabad

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner : Ms. Mukul Kumari, Advocate
For the State : Mr. Vinod Shanker Modi, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 09-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 147, 149, 323, 341, 353, 307, 332, 333, 427, 354 and 504 of the Indian Penal Code.

3. As per the prosecution case, it is alleged that all the accused persons named in the FIR, including this petitioner, along with 40 to 50 other persons entered the cabin of the doctor and assaulted him and the P.H.C. staff and even damaged the office of the hospital.

4. It is submitted by learned counsel for the petitioner that from the allegation as alleged in the FIR it would be



manifest that the allegations are general and omnibus. It is further submitted that family members of a child came to the hospital with a snake bite on which the informant referred the child to a higher center and later on the child died, on account of which some occurrence took place and the petitioner being villager was also present there and as such his name also figured in the FIR without any specific allegation of overt act. Similarly situated co-accused persons have been allowed privilege of anticipatory bail by a coordinate bench of this High Court in Cr. Misc. No. 57052 of 2021. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances, the prayer for anticipatory bail of the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M. Daudnagar, Aurangabad, in connection with Daudnagar P.S. Case No.139 of 2021, subject



to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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