

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1052 of 2023

Arising Out of PS. Case No.-139 Year-2021 Thana- MANPUR District- Nalanda

1. VIKASH MALAKAR @ VIKASH KUMAR Son of Upendra Mahto R/v- Sarbahadi, P.S.- Manpur, District- Nalanda
2. NITISH YADAV @ NITISH KUMAR Son of Tarun Yadav R/v- Sarbahadi, P.S.- Manpur, District- Nalanda
3. NITISH KUMAR @ GONGA YADAV Son of Arun Prasad R/v- Sarbahadi, P.S.- Manpur, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 1456 of 2023

Arising Out of PS. Case No.-139 Year-2021 Thana- MANPUR District- Nalanda

1. BHUNA MAHTO @ ANANT KUMAR Son of Upendra Mahto Resident of Village - Sarbahadi, Police Station - Manpur, District - Nalanda
2. Niku Kumar @ Nitesh Kumar Son of Arun Prasad Resident of Village - Sarbahadi, Police Station - Manpur, District - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 1052 of 2023)

For the Petitioner/s : Mr. Vindhyachal Singh, Sr. Adv.
Mr. Vipin Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

(In CRIMINAL MISCELLANEOUS No. 1456 of 2023)

For the Petitioner/s : Mr. Vindhyachal Singh, Sr. Adv.
Mr. Vipin Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-02-2023 As both these bail applications have been cropped up
from the same police station case number, hence, with consent



of parties, they are being heard together and disposed of by this common order.

Heard learned Senior counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 147, 148, 149, 341, 342, 323, 504, 506, 332, 333, 353, 307 and 120(B) of the Indian Penal Code and U/s 135(a) of the R.P. Act pending in the learned court below.

Allegation against the petitioners is that they along with other persons disobeyed the curfew with the intention to disturb the Panchayat Election, 2021, attacked the officials and police forces by pelting bricks stones and created obstacle in discharging government duty.

Learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. He further submits that there is general and omnibus allegation against the petitioners and petitioners are only the member of the mob. He submits that there is no specific overt act against the petitioners. He further submits that similarly situated other co-accused person has already been granted bail by a bench of this Court vide order dated 12.10.2022 passed in



Cr. Misc. No. 27151/2022. He further submits that petitioners have got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances, 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, on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Manpur P.S. Case No.139/2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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