

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10116 of 2024

Arising Out of PS. Case No.-101 Year-2023 Thana- DARPA District- East Champaran

1. SORABH MIYA @ SOHRAV ALAM SON OF SAMIM MIYA RESIDENT OF VILLAGE - PIPRA PACHHIYARI TOLA, P.S. - DARPA, DISTRICT - EAST CHAMPARAN, MOTIHARI
2. WAHID MIYA @ WAHID RAZA SON OF NAZARE AALAM RESIDENT OF VILLAGE - PIPRA PACHHIYARI TOLA, P.S. - DARPA, DISTRICT - EAST CHAMPARAN, MOTIHARI
3. JAFIR ALAM SON OF ISLAM MIYA RESIDENT OF VILLAGE - PIPRA PACHHIYARI TOLA, P.S. - DARPA, DISTRICT - EAST CHAMPARAN, MOTIHARI
4. SAHEB AALAM @ SAHEB TANVIR SON OF ISLAM MIYA RESIDENT OF VILLAGE - PIPRA PACHHIYARI TOLA, P.S. - DARPA, DISTRICT - EAST CHAMPARAN, MOTIHARI
5. MASUM MIYA @ MASUM AALAM SON OF MAKHATAV MIYA RESIDENT OF VILLAGE - PIPRA PACHHIYARI TOLA, P.S. - DARPA, DISTRICT - EAST CHAMPARAN, MOTIHARI
6. SAJAN MIYA @ SAJAN AALAM SON OF MANJUN MIYA RESIDENT OF VILLAGE - PIPRA PACHHIYARI TOLA, P.S. - DARPA, DISTRICT - EAST CHAMPARAN, MOTIHARI
7. JAMIL AKHTAR @ JAMIL AKHTAR MIYA SON OF BHOLA MIYA RESIDENT OF VILLAGE - PIPRA PACHHIYARI TOLA, P.S. - DARPA, DISTRICT - EAST CHAMPARAN, MOTIHARI
8. ALI AKHTAR @ ALI AKHTAR AALAM SON OF BHOLA MIYA RESIDENT OF VILLAGE - PIPRA PACHHIYARI TOLA, P.S. - DARPA, DISTRICT - EAST CHAMPARAN, MOTIHARI
9. SERAJ ALAM SON OF ISLAM MIYA RESIDENT OF VILLAGE - PIPRA PACHHIYARI TOLA, P.S. - DARPA, DISTRICT - EAST CHAMPARAN, MOTIHARI
10. MOFID MIYA @ MOFID AALAM SON OF ILAKAT MIYA RESIDENT OF VILLAGE - PIPRA PACHHIYARI TOLA, P.S. - DARPA, DISTRICT - EAST CHAMPARAN, MOTIHARI
11. MANOJ KUMAR @ MANOJ KUMAR PRASAD SON OF LAL BABU PRASAD RESIDENT OF VILLAGE - PIPRA, P.S. - DARPA, DISTRICT - EAST CHAMPARAN, MOTIHARI
12. PRITAM KUMAR @ OM PRAKASH SON OF KISUN PRASAD RESIDENT OF VILLAGE - PIPRA, P.S. - DARPA, DISTRICT - EAST CHAMPARAN, MOTIHARI
13. NARESH PRASAD @ NARESH KUMAR SON OF YOGENDRA PRASAD RESIDENT OF VILLAGE - PIPRA, P.S. - DARPA, DISTRICT - EAST CHAMPARAN, MOTIHARI
14. UPENDRA PRASAD @ UPENDRA KUMAR SON OF DINDEYAL PRASAD RESIDENT OF VILLAGE - PIPRA, P.S. - DARPA, DISTRICT - EAST CHAMPARAN, MOTIHARI



- 15. SONALAL PRASAD @ SONA KUMAR SON OF SADHU PRASAD
RESIDENT OF VILLAGE - PIPRA, P.S. - DARPA, DISTRICT - EAST
CHAMPARAN, MOTIHARI
- 16. BHIM THAKUR SON OF PRASAD THAKUR RESIDENT OF VILLAGE
- PIPRA, P.S. - DARPA, DISTRICT - EAST CHAMPARAN, MOTIHARI
- 17. MANOJ SAH @ MANOJ KUMAR SON OF SHANKAR SAH RESIDENT
OF VILLAGE - PIPRA, P.S. - DARPA, DISTRICT - EAST CHAMPARAN,
MOTIHARI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar
For the Opposite Party/s : Mr. Awadhesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-02-2024 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in connection
with Darpa P.S. Case No.101/2023, registered for the offence
punishable under Sections 147, 148, 149, 341, 323, 308, 333,
353, 188 & 295(A) of the Indian Penal Code.

3. Learned counsel for the petitioners submits that
petitioners are persons with clean antecedent and the informant
alleges that on the occasion of Mahavir Jhanda, the informant
along with police forces were maintaining law and order, all of a
sudden, from southern side some miscreants started pelting
stones on the procession when a ruckus was created and
thereafter both sides started pelting stones on each other and



when the informant along with the Circle Officer tried to pacify the matter but then the miscreants including the petitioners along with unknown accused assaulted the police officials causing injuries. The learned counsel submits that petitioners have been falsely implicated in the present case. It is next submitted that the allegation of assault is general and omnibus in nature and they came to be implicated at the instance of chowkidar when they were not even present at the place of occurrence. The learned counsel submits that the petitioners will not abscond rather will co-operate in the investigation.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or 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.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Raxaul, Motihari, East Champaran, in connection with Darpa P.S. Case No.101/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



6. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to his notice that the petitioners despite giving assurance to this court are not co-operating in the investigation in that event the learned trial court shall be at liberty to cancel their bail bonds.

(Satyavrat Verma, J)

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