

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6379 of 2024

Arising Out of PS. Case No.-109 Year-2020 Thana- FATEHPUR District- Gaya

1. BOURI YADAV @ BORI YADAV Son of Chotan Yadav Resident of Village-Kathadih, Tola-Inarpur, P.O.-Kariyadpur, P.S.-Fatehpur, Dist.-Gaya, Pin-824232
2. PAPPU SINGH, Son of Yogendra Singh Resident of Vill.-Jagarnathpur, P.S.-Fatehpur, Dist.-Gaya, Bihar, 824232

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anmol Kumar, Advocate
For the Opposite Party/s : Mr.Ajay Kumar Jha, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-02-2024 Heard Mr. Anmol Kumar, learned counsel appearing on behalf of the petitioners and Mr. Ajay Kumar Jha, learned APP for the State.

2. The petitioners seek pre-arrest bail in connection with Fatehpur P.S. Case No. 109 of 2020 dated 02.06.2020 registered for the offence(s) punishable under Sections 109, 147, 148, 149, 332, 337, 353, 153(A), 295, 295(A), 297, 427, 186, 188, 269, 270, 504 and 506 of the Indian Penal Code and Section 3 of the Prevention of Damage to Public Property Act and subsequently Section 307 of the IPC was also added.

3. As per the allegation made in the FIR, several people were protesting on a road by keeping a dead-body of the



deceased, who had met with a road accident. It is further alleged that the persons assembled there pelted stones and damaged motorcycles and four-wheelers and when the police party came to pacify them, they also abused and obstructed them from discharging their official duty.

4. Learned counsel appearing on behalf of the petitioners submitted that there is general and omnibus allegation made against the petitioners and in fact, the petitioners, at best, can be considered to be the members of the mob and altogether 65 named persons including the petitioners and nearly 300 unnamed persons have been made accused in the present case. On these grounds, petitioners seek to be released on bail.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the facts and circumstances of the case, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate- X, Gaya in



connection with Fatehpur P.S. Case No. 109 of 2020, subject to
the conditions as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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