

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17731 of 2024

Arising Out of PS. Case No.-184 Year-2023 Thana- SARAI RANJAN District- Samastipur

1. Kari Sada Son of Jangli Sada Resident of Village- Sarairanjan Dih, P.S.- Sarairanjan, District- Samastipur
2. Manoj Sada Son of Suraj Sada Resident of Village- Sarairanjan Dih, P.S.- Sarairanjan, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surya Narayan Roy

For the Opposite Party/s : Mr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 26-04-2024 Learned counsel for the petitioners submits that he wants to withdraw the prayer for anticipatory bail in respect of petitioner no.2 Manoj Sada. Accordingly, the prayer for anticipatory bail of petitioner no. 2 Manoj Sada is dismissed as withdrawn.

2. Heard learned counsel for the petitioner no.1 namely Kari Sada and learned A.P.P. for the State.

3. The petitioner no. 1, Kari Sada, is apprehending his arrest in connection with Sarairanjan P.S. Case No.184 of 2023 registered for the offences punishable under Sections 145, 186, 147, 149, 341, 342, 323, 332, 333, 307, 379, 427, 224, 225, 504 of the Indian Penal Code and Section 45 of Bihar Prohibition and Excise Act.



4. As per prosecution case, on secret information informant alongwith police official apprehended the co-accused,Manoj Sada, in intoxicated condition and 50-60 people armed with lathi, danda etc., surrounded the police official and attacked upon them. One of them torn the uniform of the informant and took out Rs. 800 in cash from his pocket, damaged the police vehicle and also released the apprehended co-accused from the clutches of the police and petitioner no.1 is one among them who is said to have committed the said occurrence.

5. Learned counsel for the petitioners submits that petitioner no. 1 is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner no.1 bears no criminal antecedent. He further submits that petitioner no.1 is merely a member of mob. It is further submitted that co-accused Sunita Devi and others have already been granted bail by this Court vide Cr.Misc. No. 68947 of 2023 and the case of present petitioner no.1 is identically same and on the principle of parity petitioner no.1 deserves bail.

6. The learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner no.1.

7. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner no.1 , argument advanced



on behalf of both sides the petitioner no.1 , Kari Sada, above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge (Excise) -2 Samastipur in connection with Sarairanjan P.S. Case No. 184 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

vashudha/-

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