

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14271 of 2024

Arising Out of PS. Case No.-146 Year-2023 Thana- BHAGWANPUR District- Vaishali

1. Mukesh Kumar S/o Late Raj Ballam Singh Resident of Village Babhan Toli, P.S.- Goraul, District- Vaishali
2. Kapoor Kumar Singh @ Kapoor Singh @ Kapoor Kumar S/o Udit Singh Resident of Village Babhan Toli, P.S.- Goraul, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Gandhi, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 12-03-2024 Heard Mr. Manish Gandhi, learned counsel appearing on behalf of the petitioners and Mr. Sanjay Kumar Tiwary, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Bhagwanpur P.S. Case No. 146 of 2023 registered under Section 147, 149, 323, 325, 283, 290, 332, 337, 353, 504, 506 and 427 of the Indian Penal Code.

3. As per the allegation made in the FIR, the petitioners along with 7 other named accused and more than a hundred unnamed accused had blocked the road, on account of road accident of one Dheeraj Kumar, who had died on the spot. The petitioners being co-villagers of the deceased Dheeraj



Kumar had protested and had caused hindrance to the police in discharging their official duty.

4. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and they have falsely been implicated in the present case. The protest of the villagers took place due to the death of their co-villager in the road accident and general and omnibus allegation has been alleged against the petitioners. The petitioners have clean antecedent.

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

6. Considering the rival submission made on behalf of the parties, as well as, considering the general and omnibus nature of allegation made against the petitioners, I am of the opinion that petitioners have, prima facie, made out a case to be released on pre-arrest bail.

7. The District Court is directed to release the petitioners on anticipatory bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each, to the satisfaction of learned Additional Chief Judicial Magistrate –



Ist, Vaishali at Hajipur in connection with Bhagwanpur P.S.
Case No. 146 of 2023, subject to the condition as laid down
under Section 438(2) of the Cr.P.C.

8. The Court below is directed to verify the criminal
antecedent of the petitioner as stated in paragraph no. 3 of the
bail application. If any other case is pending against the
petitioner as what has been stated in paragraph no. 3, this order
will lose its force automatically.

(Purnendu Singh, J.)

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