

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15724 of 2024

Arising Out of PS. Case No.-27 Year-2024 Thana- WARISLIGANJ District- Nawada

1. Chandan Kumar Son of Vijay Raut Resident of Village- Balwapar, P.S. Warisaliganj, District- Nawada
2. Akash Kumar Son of Sanjay Raut Resident of Village- Balwapar, P.S. Warisaliganj, District- Nawada
3. Dharmendra Raut Son of Birji Raut Resident of Village- Balwapar, P.S. Warisaliganj, District- Nawada
4. Sanjay Raut Son of Birji Raut Resident of Village- Balwapar, P.S. Warisaliganj, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manmohan Kumar, Adv.

For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Warisaliganj P.S. Case No. 27 of 2024 instituted for the offences under Sections 147, 148, 149, 323, 324, 332, 333, 337, 338, 307, 353 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, on receipt of information that two groups of criminals are fighting and indiscriminately firing on each other for illegally occupying business at railway



rack point, Warisaliganj in which accused persons were from two castes i.e. Dhanuk and Yadav, the police reached at the place of occurrence and saw three persons were lying in injured condition on the road who were sent to PHC, Warisaliganj for treatment by police vehicle. It is alleged that when the police party tried to pacify the violent crowd including one village head namely Dilip Raut of village Rajpur Saur Panchayat, they started pelting stones indiscriminately on the police party as well. The police also recovered 13 empty cartridges of different category from the place of occurrence.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have committed no offence as alleged against him and has falsely been implicated in the present case on the basis of suspicion. He further submits that no specific allegation has been made against the petitioners rather the same is general and omnibus in nature. Nothing incriminating has been recovered from the conscious possession of the petitioners. The petitioners are not the members of any group but, they are only the resident of village Balwapar. The petitioners are only the mute spectators and, at best, they are members of the mob. The petitioners have no criminal antecedent as has been stated in paragraph no.3 of the present



bail application. The petitioners are languishing in judicial custody since 13.01.2024. Charge-sheet has been submitted in this case.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioners having no criminal antecedent coupled with the fact the allegation made against the petitioners is general and omnibus, let the petitioners, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Warisaliganj P.S. Case No. 27 of 2024.

(Rudra Prakash Mishra, J)

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