

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16894 of 2024

Arising Out of PS. Case No.-143 Year-2022 Thana- KOTWA District- East Champaran

Raju Kumar Sahani @ Raju Sahani S/o- Late Benilal Sahani @ Late Beni Sahani Village- Bhopatpur Ps- Kotwa Dist- E.Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 19-04-2024 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Kotwa P.S. Case No. 143 of 2022 dated 16.04.2022 registered for the offence/s punishable u/ss 147, 148, 149, 323, 324, 325, 353, 332, 307, 427, 440, 447, 448, 504 and 506 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, all the FIR named and 200-250 unknown accused persons being member of unlawful assembly are alleged to have creating nuisance by keeping dead body on the road and when the informant along with the police officials reached there to pacify the matter, they became aggressive and started assaulting them and caused hindrance in



discharge of the official duty.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Learned counsel has further submitted that the petitioner is the member of the mob. There is general and omnibus allegation against the petitioner. All the injured sustained simple injury. It is further submitted that the petitioner has no concern with the alleged offence. The co-accused person has already been granted anticipatory bail by this court vide order dated 21.12.2023 passed in Cr. Misc. No. 76637 of 2023. The petitioner has no criminal antecedent as stated at para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the allegation being general and omnibus, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Motihari, East Champaran in connection with Kotwa P.S. Case No. 143 of



2022, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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