

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20498 of 2024

Arising Out of PS. Case No.-783 Year-2023 Thana- MAHUA District- Vaishali

1. Awdhesh Sah S/O Vishwanath Sah R/O Village- Rampur Borhan, P.S- Jandaha, Distt.- Vaishali.
2. Santosh Kumar S/O Tun Tun Sah @ Shambhunath Sah R/O Village- Rampur Borhan, P.S- Jandaha, Distt.- Vaishali.
3. Ankit Kumar Sah S/O Tun Tun Sah @ Shambhunath Sah R/O Village- Rampur Borhan, P.S- Jandaha, Distt.- Vaishali.
4. Raju Kumar Sah S/O Sonfhi Sah R/O Village- Rampur Borhan, P.S- Jandaha, Distt.- Vaishali.
5. Chandan Kumar Paswan S/O Laldeo Paswan R/O Village- Harpur Jado, Laxmipur, P.S- Mahua, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajeev Ranjan No. II, Advocate
	:	Mr. Pranav Kumar, Advocate
	:	Ms. Kumari Rupa, Advocate
For the Opposite Party/s	:	Mr. Mritunjay Kumar Nirala, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 02-04-2024 Heard Mr. Rajeev Ranjan No. II; along with Mr. Pranav Kumar and Ms. Kumari Rupa, learned counsels appearing on behalf of the petitioners and Mr. Mritunjay Kumar Nirala, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Mahua P.S. Case No. 783 of 2023 registered under Sections 147, 323, 325, 333, 353, 307, 427, 504, 506, 34 of the Indian Penal Code.

3. As per the allegation made in the FIR, the



petitioners and others, as named in the FIR, were identified as the members of the mob, which manhandled the police force and assaulted the informant, in which he sustained injuries.

4. Learned counsel appearing on behalf of the petitioners submits that petitioners are innocent and they have falsely been implicated in the present case. It is further submitted that petitioners are members of the mob and the allegation made against them is general and omnibus. The petitioners have clean antecedent. On these grounds, the 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 rival submission made on behalf of the parties, as well as, the fact that the allegation made against the petitioners is general and omnibus, 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 J.M.- Ist Class, Vaishali at Hajipur in connection with Mahua P.S. Case No. 783 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

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

(Purnendu Singh, J.)

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