

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28553 of 2024

Arising Out of PS. Case No.-166 Year-2023 Thana- SANGRAMPUR District- East
Champaran

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Meraj Hussain S/o Late Haneef Miyan Resident of Village- Bhusha, P.S.
Sangrampur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Sunil Kumar No.III, Advocate
For the State	:	Mr. Syed Mojibur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 29-08-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 147, 148, 149, 447, 448, 452, 341, 342, 323, 324, 325, 337, 338, 307, 308, 332, 333, 353, 427, 428, 431, 109, 504 and 120 of the Indian Penal Code and Sections 3 and 4 of the Public Property Act.

3. As per prosecution case, on 24.04.2023 police arrested one Bhikhari Chaudhary with illegal liquor and during course of his medical checkup, he became ill and died. After *post mortem*, his body was handed over to his family. It is alleged that thereafter, all the accused persons named in the F.I.R., including this petitioner, kept the dead body of Bhikhari Chaudhary on SH-74 and blocked the highway. Thereafter,



when the police went to pacify the matter, all the accused persons started abusing and pelted stones over police party, as a result of which several police personnel sustained injuries.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is innocent and has falsely been implicated in this case. There are general and omnibus allegations. There is no specific accusation of overt act against this petitioner. Petitioner claims clean antecedents.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that petitioner is named in the F.I.R. and there is specific accusation that he, along with other accused persons, abused and pelted stones over police personnel as a result of which several police personnel sustained injuries.

6. Considering the aforesaid facts and circumstances and nature of accusation, the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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