

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30756 of 2024

Arising Out of PS. Case No.-709 Year-2023 Thana- GAURICHAK District- Patna

1. Sanjay Kumar Son of Dinesh Mochi @ Dinesh Ravidas Resident of Village- Achuara, P.S.- Barh, District- Patna
2. Majetar Das @ Majestar Das Son of Naresh Das Resident of Magra Tola, P.S.- Raghapur, Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Adv.

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

2 19-04-2024 Heard learned counsel for the petitioners and learned APP for the State.

2. The petitioners seek bail in connection with Gaurichak P.S. Case No. 709 of 2023 instituted for the offences under Sections 147, 148, 149, 188, 307, 323, 324, 325, 332, 333, 337, 338, 353, 427, 504, 506 of the Indian Penal Code.

3. As per prosecution case, upon instigation of one Golden Das, the accused persons including the petitioners created hindrance and assaulted many police officials due to which eight police personnel sustained injuries.

4. Learned counsel for the petitioner submits that the petitioners are innocent and have committed no offence as



alleged against them and have falsely been implicated in the present case. There is no direct or specific allegation levelled against the petitioners rather the same is general and omnibus in nature. The specific allegation of instigation is against co-accused Golden Das. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioners. Charge-sheet has been submitted in this case. 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 12.12.2023.

5. Learned counsel for the petitioners again submits that the co-accused Rakesh Mochi has been granted bail by this Court vide order dated 05.04.2024 passed in Cr. Misc. No. 25586 of 2024.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioners.

7. 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 petitioners and the petitioners having no criminal antecedent, 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 Gaurichak P.S. Case No. 709 of 2023.

(Rudra Prakash Mishra, J)

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