

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.46084 of 2024**

Arising Out of PS. Case No.-264 Year-2023 Thana- UCHKAGAON District- Gopalganj

1. Munna Bin @ Munna Kumar Son of Sadhu Bin @ Sadhu Prasad @ Sadhu Been Village- Noniya Toli, Ps- Uchakagaon, Dist- Gopalganj
2. Birendra Been Son of Sadhu Been @ Sadhu Prasad @ Shadhu Been Village- Noniya Toli, Ps- Uchakagaon, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shashi Ranjan Kumar, Advocate  
For the State : Ms. Sharda Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      20-07-2024                      Heard Mr. Shashi Ranjan Kumar , learned counsel for the petitioners and Ms. Sharda Kumari, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Uchakagaon P.S. Case No. 264 of 2023, F.I.R. dated 14.07.2023 for the offences punishable under Sections 147, 148, 149, 323, 332, 333, 353, 290, 504 and 506 of the Indian Penal Code.

3. According to prosecution case, petitioners along with 56 named and 400 unnamed persons armed with lathis and weapons blocked the main road for approximately 4 hours. It is also alleged that they abused and assaulted some police



personnel.

4. Learned counsel for the petitioners submits that petitioners have no criminal antecedent and they have falsely been implicated in the present case. He further submits that from perusal of the F.I.R it appears that the petitioners have not committed any offences as alleged in the F.I.R. He further submits that the name of the petitioners are transpired on the basis of the disclosure made by local chowkidar and apart from the aforesaid, the informant has lodged the F.I.R against 58 named person and 400 unnamed persons where petitioners are named in the F.I.R. He further submits that the co-accused persons namely, Chabila Sah and others have been granted anticipatory bail by this Hon'ble Court vide order dated 04.04.2024 passed in Criminal Misc. No. 20906 of 2024 and the case of the petitioner is on similar footing.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances and the fact that the petitioners have clean antecedent, there is no specific allegation against these petitioners and other accused persons have been granted anticipatory bail, let the petitioners, above named, in the event of arrest or surrender before the court



below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IX, Gopalganj, in connection with Uchakagaon P.S. Case No. 264 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order



shall not be delayed for purpose of or in the name of  
verification.

**(Rajesh Kumar Verma, J)**

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