

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47841 of 2024

Arising Out of PS. Case No.-35 Year-2023 Thana- PAKRIDAYAL District- East Champaran

AWADHESH SAH @ AWADHESH KUMAR SON OF THAGU SAH @
THAGA SAH VILLAGE- CHAITA, PS- PAKRIDAYAL, DIST- EAST
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Sharda Nand Mishra, Advocate Mr. Dhananjay Kr. Gupta, Advocate
For the State	:	Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-09-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 341, 147, 149, 353, 307, 354, 323, 504 and 506 of the Indian Penal Code and Sections 5 and 6 of the Essential Services Maintenance Act.

3. The prosecution case, in brief, is that on 14.02.2023 at about 1:15 PM, all the F.I.R. named accused persons, including this petitioner, had blocked a road by keeping the dead body of one *Jaiprakash Das*. It is further alleged that while the informant and other police personnel tried to pacify the matter, gathered people became angry and started abusing and misbehaving with all the police officials, including female



police personnel.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner is innocent and has committed no offence. Allegations are general and omnibus. There is no accusation of assault against this petitioner. Similarly situated co-accused, namely Vikas Kesari, has already been granted the privilege of anticipatory bail by this Hon'ble Court vide order dated 02.04.2024 passed in Cr. Misc. No. 19701 of 2024. Petitioner claims clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner.

6. Considering the aforesaid facts and circumstances, claims based on parity and clean antecedents of the petitioner, the prayer for grant of anticipatory bail to the petitioner is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., East Champaran, Motihari, in connection with Pakaridayal P.S. Case No. 35 of



2023, subject to condition as laid down under Section 438(2) of
the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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