

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51316 of 2024

Arising Out of PS. Case No.-231 Year-2024 Thana- BUXAR District- Buxar

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1. Md. Kurban Ali S/O Md. Shamsher Ansari @ Shamsher Ansari Resident Of Village- Ramobariyan, Majhariya, P.S.- Industrial Area, District- Buxar
 2. Vijay Prasad Keshri S/O Ramji Prasad Keshri R/O Village- Tekari Kalan, P.S.- Mohaniya, Dist.- Kaimur.
 3. Md. Arshaad S/O Md. Khaalik R/O Sohanipatti, P.S.-Buxar Nagar, Distt.- Buxar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 21-08-2024 Heard Mr. Arvind Kumar Pradhan, learned counsel appearing on behalf of the petitioners and Mr. Sanjay Kumar Singh, learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in connection with Buxar (Town) P.S. Case No. 231 of 2024 registered under Sections 147, 148, 341, 323, 353, 427 of the Indian Penal Code.

3. As per the allegation made in the FIR, the petitioners, along with other accused persons, obstructed the employees of Nagar Parishad from discharging their duty.

4. Learned counsel appearing on behalf of the petitioners submitted that the petitioners are innocent and they



have falsely been implicated in the present case. Learned counsel further submitted that though the petitioners are named in the FIR, however, the allegation made against the petitioners is general and omnibus in nature. Learned counsel further submitted that several persons were allegedly involved in vandalising J.C.B. machine, as well as, threatening and obstructing the employees of Nagar Parishad from discharging their official duty and had assaulted them. 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 submissions made on behalf of the parties, as well as, general and omnibus allegation has been levelled against the petitioners, I am of the opinion that petitioners have, *prima facie*, made out a case to be released on pre-arrest bail.

7. The learned District Court is directed to release the petitioners on anticipatory bail, in the event of their arrest or surrender before the learned District Court 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 Chief Judicial Magistrate, Buxar in connection with Buxar (Town) P.S. Case No. 231 of 2024, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

8. The learned 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 lose its force automatically.

(Purnendu Singh, J.)

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