

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62237 of 2024

Arising Out of PS. Case No.-470 Year-2022 Thana- CHIRAIYA District- East Champaran

Krishnanandan Kumar @ Kishnandan Kumar @ Kishandan Kumar, S/o-
Babula Raut @ Babulal Raut, Village- Partapur, P.S.- Chiraiya, District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jyotsana Rani, Advocate
Mr. Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 13-09-2024 Heard Ms. Jyotsana Rani, learned Advocate for the
petitioner and the learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Chiraiya P.S. Case No. 470 of 2022 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 353, 332, 151 and 504 of the Indian Penal Code.

3. Allegation against the petitioner and other co-accused persons is of creating hindrance in discharge of official duty of police personnel and administrative officers, while they were removing the encroachments. It is also alleged that the accused persons also damaged the Government vehicles and caused injury to the Government officials, who were discharging the public duties.



4. Learned Advocate for the petitioner contended that allegedly the F.I.R. has been instituted against 40-50 unknown persons and there is no specific allegation against anyone. It is next contended that in fact on the date, when the police personnel came at the spot to remove the encroachments, the alleged encroachers requested for some time so that they can themselves remove the encroachment, but the same has not been allowed, which caused resentment in the public at large and thereafter in course of protest, some scuffle has taken place between the police personnel and the public at large. The materials available on record does not disclose that any of the person has sustained any injury. Taking note of the aforesaid fact one of the co-accused has been allowed the privilege of anticipatory bail by this Court vide order dated 16.10.2023 in Cr. Misc. No. 61725 of 2023. The petitioner bears fair antecedent and he undertakes that he will fully cooperate in the investigation and proceedings of the Court.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioner being the member of the mob, engaged in obstructing the police officials in discharge of their official duty.

6. Regard being had to the submissions made on



behalf of the parties and considering omnibus nature of allegation, coupled with the fair antecedent and the fact that co-accused persons, having identical allegation, has been allowed the privilege of anticipatory bail by this Court, let the petitioner, named above, in the event of his arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sikarhana at Dhaka, East Chamapran in connection with Chiraiya P.S. Case No. 470 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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