

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61372 of 2024

Arising Out of PS. Case No.-109 Year-2023 Thana- NATIONAL HIGHWAY District-
Samastipur

Shiv Kumar Das Son of Late Janak Das Village- Dih Sarsuna near Indian
Bank, P.S.- N.H. Bangra, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Kumar, Adv.
For the Opposite Party/s : Mr.Ahmad Ali, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 23-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with N.H. Bangra P.S. Case No. 109 of 2023 registered for the
offences punishable under Sections 147, 148, 149, 341, 342,
323, 324, 325, 354, 427, 307, 333, 353, 114, 188 & 504 of the
Indian Penal Code.

3. As per prosecution case, the accusation against the
accused persons including the petitioner is of creating hindrance
in discharging the duties of police personnel. In the alleged
incident, the accused persons also damaged the JCB machine
which was brought to remove the encroachment. It is also
alleged that the accused persons also assaulted the police party



and lady constables as a result of which they sustained injury.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. He further submits that the petitioner has not committed any offence as alleged in the F.I.R. No any specific allegation of any overt act has been leveled upon the petitioner rather the same are general and omnibus in nature. The petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent.

5. Learned counsel for the petitioner further submits that the co-accused Leelam Devi has been granted anticipatory bail by this Court vide order dated 26.06.2024 passed in Cr. Misc. No. 42276 of 2024.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. Considering the entire facts and circumstances of the case and taking into account the submissions made by the learned counsel for the petitioner, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of



Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with N.H. Bangra P.S. Case No. 109 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Rudra Prakash Mishra, J)

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