

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64108 of 2024

Arising Out of PS. Case No.-150 Year-2022 Thana- UJIYARPUR District- Samastipur

1. Gautam Kumar Paswan @ Gautam Kumar, S/O Ganeshi Paswan, R/V Village -Baikunthpur Brahanda, P.S--Ujiyarpur, District -Samstipur.
2. Gaurav Kumar @ Chhotu Kumar, S/O Mithilesh Kumar Srivastava, R/V- Sahdai Bujurg, P.S- Distt- Vaishali. At Present- Baikunthpur Brahanda, P.S- Ujiyarpur, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate

For the Opposite Party/s : Mrs. Madhuri Lata, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 29-11-2024 Heard the learned Advocate appearing on behalf of the petitioners and the learned Additional Public Prosecutor for the State.

2. The petitioners apprehend their arrest in connection with Samastipur Ujiyarpur P.S. Case No. 150 of 2022, registered for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 332, 333, 337, 338, 353, 427 and 504 of the Indian Penal Code.

3. Allegedly on account of murder of one business man, 13 named accused and 40-50 unknown accused persons blocked the road and started raising slogan against the police administration and further attacked on the police party by



throwing brickbats, as a result of which several police personnels sustained injury.

4. Learned Advocate appearing on behalf of the petitioners submits that there is omnibus nature of allegation against all the accused persons. Moreover, the injuries sustained to the victims are simple in nature. Taking note of the aforesaid fact, other co-accused persons have been allowed the privilege of anticipatory bail in Criminal Miscellaneous No. 73727 of 2022 vide order dated 29.04.2023, as also in Criminal Miscellaneous No. 23491 of 2024 vide order dated 21.06.2024, the copies of which have been marked as Annexure 2 series to the bail application. It is lastly contended that the petitioners bear fair antecedent and they undertake that they will fully cooperate in the proceeding of the Court.

5. On the other hand, learned counsel for the State opposed the pre-arrest bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation, coupled with the fact that others have been allowed the privilege of anticipatory bail, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the



date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Dalsingsarai, District Samastipur in connection with Ujiyarpur P.S. Case No. 150 of 2022, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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