

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68000 of 2024

Arising Out of PS. Case No.-285 Year-2024 Thana- SONEPUR District- Saran

1. Ram Iqbal Singh @ Bala Singh Son of Late Dasai Singh Resident of Village- Bakarpur, P.S.- Sonpur @ Sonepur, District- Saran
2. Sanjay Singh Son of Ram Iqbal Singh @ Bala Singh Resident of Village- Bakarpur, P.S.- Sonpur @ Sonepur, District- Saran
3. Praduman Singh @ Praduman Kumar Singh @ Pradyuman Singh Son of Yogendra Singh Resident of Village- Bakarpur, P.S.- Sonpur @ Sonepur, District- Saran
4. Mohit Kumar Son of Kamala Singh Resident of Village- Bakarpur, P.S.- Sonpur @ Sonepur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate
For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 03-10-2024 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Sonepur P.S. Case No. 285 of 2024 for the offence under Sections 188, 290, 291, 341, 353, 147, 148, 504 and Section 34 of the I.P.C. lodged on 02.04.2024 by the informant, Kundan Kumar.

3. As per the prosecution story, the informant alleged that he got information about an accident which has followed the blockade of road as they reached the Kushwaha Chowk, found many ambulances and the children/school buses stuck in



it. They have completely blocked both the lanes of Chapra-Hajipur National Highway, though some of them were identified which include these petitioners, hundred others unknown were also made accuseds, the body of the deceased was finally taken from the place of occurrence after much persuasion and sent for the postmortem. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that an accident took place, they were there to watch the episode, implicated. They had no role to play in the said blockade and further, without accepting the allegation and/or the outcome of the present petition, learned counsel for the petitioners submit that they are ready to pay Rs. 2,000/- each (Rs. 4,000/- total) to the Chief Minister's Relief Fund.

5. Learned APP opposes the prayer stating that they are named in the FIR.

6. Allegation is there, unfortunate part is that instead of sympathizing with the family and/or helping the Police to take the deceased for the *postmortem*, the locals resort to blockades causing difficulties to those crossing the area and as per the FIR, the ambulances and the school children were also stuck, in the present case, hundreds of people have been named, petitioners being one of them and they undertake to cooperate



with the Police, this Court is inclined to extend them privilege of anticipatory bail subject to payment of Rs. 2,000/- each (totalling Rs. 8,000/-) to the Chief Minister's Relief Fund through demand draft to be submitted to the learned trial court at the time of execution of bail bonds.

7. Let the petitioners be released on bail in the event of their arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, Saran at Chapra in connection with Sonapur P.S. Case No. 285 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioners who shall provide official document to show their bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;



(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Adnan/-

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