

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69000 of 2024

Arising Out of PS. Case No.-81 Year-2024 Thana- BIRPUR District- Supaul

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1. Amit Kumar Kamat Son of Ramnath Kamat Resident of village - Banailipatti, Police Station- Birpur, Dist.- Supaul.
 2. Pawan Kumar Kamat Son of Ganga Kamat Resident of village - Banailipatti, Police Station- Birpur, Dist.- Supaul.
 3. Indrajeet Kamat Son of Ganga Kamat Resident of village - Banailipatti, Police Station- Birpur, Dist.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun
For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 03-10-2024 Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 147, 149, 188, 323, 353, 332, 504, 506 of the Indian Penal Code.

3. As per the FIR, co-accused Rajesh Kumar Yadav was smuggling drugs and other things from Nepal to India and after seeing the raiding party he threw those goods in a field and fled away towards Nepal. The allegation against the petitioners is that they tried to assault the raiding party. They also tried to snatch the arms and ammunition and vehicles of the raiding party and also snatched the goods thrown by the



co-accused Rajesh Kumar Yadav.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He further submits that the petitioners are only the members of mob and there is no specific overt act against them. Petitioners have no criminal antecedent, which is also mentioned in para-3 of the bail application.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as there is no specific overt act against the petitioners, let the above named petitioners be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each 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 Birpur P.S. Case No.81 of 2024,



subject to the conditions as laid down under Section 438(2) of
the Cr.P.C.

(Anjani Kumar Sharan, J)

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