

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79641 of 2024

Arising Out of PS. Case No.-178 Year-2024 Thana- NAUHATTA District- Saharsa

1. Bambam Kamat Son of Baidhnath Kamat Resident of Ward No. 16 Hempur, Post - Dharampur, P.S. - Nauhatta, District - Saharsa - 852123, Adhar - 983340501727
2. Deepak Singh @ Deepak Kumar Singh Son of Ramchandra Singh Resident of Ward No. 16 Hempur, Post - Dharampur, P.S. - Nauhatta, District - Saharsa - 852123, Adhar - 531565510032
3. Mukesh Kumar @ Mukesh Singh Son of Sri Chandeshwar Kuwar Resident of Ward No. 16 Hempur, Post - Dharampur, P.S. - Nauhatta, District - Saharsa - 852123, Adhar - 504292694948
4. Mithun Kumar Kamat @ Mithun Kumar Son of Ashok Kamat Resident of Ward No. 16 Hempur, Post - Dharampur, P.S. - Nauhatta, District - Saharsa - 852123, Adhar - 558491778894
5. Santosh Kumar Singh Son of Sri Ganga Singh Resident of Ward No. 16 Hempur, Post - Dharampur, P.S. - Nauhatta, District - Saharsa - 852123, Adhar - 725545017015

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Jha, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 28-11-2024 Heard learned counsel for the petitioners and Mr.

Mr. Anil Kumar, learned APP for the State.

2. Learned counsel for the petitioners submits that petitioner no. 5, namely, Santosh Kumar Singh has been arrested in this case. In that circumstance, learned counsel for the petitioners seeks permission to withdraw this bail application in respect of petitioner no. 5, namely, Santosh Kumar Singh.



3. Permission is accorded.

4. This application is dismissed as withdrawn in respect petitioner no. 5.

5. The instant application for anticipatory bail has been filed by the petitioner nos. 1 to 4 apprehending their arrest in connection with Nauhatta P.S. Case No. 178 of 2024 instituted for the offence under Sections 191(2), 190, 121(1), 121(2), 132, 351(2) of the B.N.S.S.

6. The case of the prosecution is that the police personnel were checking the vehicles in that course, one Deepak Kumar Singh was having a bike without number. On this, he objected and other petitioners arrived there after that all of them objected the police from vehicle checking. They misbehaved with the police personnel.

7. Learned counsel appearing on behalf of the petitioners has submitted that petitioner no. 2, namely Deepak Kumar Singh was submitting the original papers of the bike before the police but they were demanding cash which was objected by the petitioners. A statement has been made in para-3 of this petition that the petitioner nos. 1 to 4 have got no criminal antecedent.

8. In contra, learned APP appearing for the State has



opposed the prayer of bail of the petitioner nos. 1 to 4.

9. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the **petitioner nos. 1 to 4, namely, Bambam kamat, Deepak Singh, Mukesh Kumar and Mithun Kumar Kamat** on bail. The petitioner nos. 1 to 4 are directed to surrender in the Court below within a period of four weeks from today and in the event of thier arrest or surrender in connection with Nauhatta P.S. Case No. 178 of 2024, they will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) on each of them with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Saharsa subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

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