

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75174 of 2023

Arising Out of PS. Case No.-295 Year-2023 Thana- SANGRAMPUR District- East
Champaran

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1. VIRAJ SINGH Son of Anil Singh R/o vill - Nautan, P.S. - Sangrampur, Distt. - East Champaran
 2. Pawan Kumar Son of Nathu Sharma R/o vill - Nautan, P.S. - Sangrampur, Distt. - East Champaran
 3. Aman Singh Son of Uma Shankar Singh R/o vill - Nautan, P.S. - Sangrampur, Distt. - East Champaran
 4. Satyam Singh Son of Dharmendra Singh R/o vill - Nautan, P.S. - Sangrampur, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar
For the Opposite Party/s : Mr. Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 05-03-2024 1. Heard learned Counsel for the petitioners and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Sangrampur Police Station Case No. 295 of 2023, disclosing offences under Sections 341, 342, 323, 353, 379, 504, 34 of the Indian Penal Code.
3. The informant is chowkidar of Sangrampur police station and as per the prosecution story, on 11.08.2023 in the morning at about 12:45 am in the night, the informant along with police team was on patrolling duty. In the



meantime, four persons riding on two motorcycles came near them and started talking. When objected by the informant and others, the accused persons started abusing and assaulting the informant. They snatched Rs. 1,300/- from the pocket of the informant, aadhar card etc. and prevented the informant from discharge of his official duty. The informant inquired the identity and address of the accused persons from Mukhiya and came to know about the names of the accused persons registered in the FIR.

4. Learned Counsel for the petitioners submits that petitioners have not committed any offence in the manner alleged and they have been made accused at the instance of the concerned Mukhiya. From perusal of the First Information Report, it would be evident that the informant did not identify/recognize the petitioner at the time of occurrence. FIR has been lodged after a delay of 18 hours from the time of occurrence and the names of the petitioners have been disclosed on the basis of their names disclosed by Mukhiya.
5. Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the FIR



has been lodged after a delay of 18 hours from the time of occurrence and they have been made accused after disclosure of their names by Mukhiya, I am inclined to grant the petitioner privilege of anticipatory bail.

6. This application is, accordingly, allowed.
7. Let the petitioners, above named, in the event of their arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Motihari, East Champaran, in connection with Sangrampur Police Station Case No. 295 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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