

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83283 of 2023

Arising Out of PS. Case No.-273 Year-2023 Thana- NAUGACHIA District- Bhagalpur

1. Babita Devi Wife Of Ghanshyam Singh R/O Village- Godhiyari Makhan Takiya, P.S.- Naugachia, District- Bhagalpur
2. Kiran Devi Wife Of Sonu Rajak R/O Village- Godhiyari Makhan Takiya, P.S.- Naugachia, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Adya Singh

For the Opposite Party/s : Mr. Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 08-01-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 188, 290, 353, 186, 152, 189, 332, 333 of the Indian Penal Code.

3. As per the prosecution case, while a procession of Muharram was being taken out, some anti-social elements in the procession exploded a bomb which caused hurt to a girl. Allegation against the petitioners is that they along with other 200-250 other person caused blockade on the road over the aforesaid incident and they were also involved in scuffle with police party. Further, allegation against them is that they tired to



cause disturbance in the communal harmony.

4. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that there is no specific overt act against the petitioners. Similarly situated co-accused have been enlarged on bail by a Co-ordinate Bench of this Court vide order dated 03.11.2023 passed in Cr. Misc. No. 71170 of 2023. Petitioners have no criminal antecedent as mentioned in para-3 of this application.

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

6. Having regard to the facts and circumstances of the case, 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 lower Court where the case is pending/successor Court in connection with Naugachia P.S. Case No.273 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C., and other following conditions:



(i) One of the bailors will be close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(Anjani Kumar Sharan, J)

anand/-

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