

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 83208 of 2023

Arising Out of PS. Case No.-158 Year-2023 Thana- ROSHANGANJ District- Gaya

1. Kaushlendra Kumar @ Kaushal Kumar @ Anup Kumar @ Anup Prasad Son Of Rajendra Singh @ Rajendra Prasad Resident Of Village- Juri, Nawadih, P.O. And P.S.- Banke Bazar, District-Gaya
2. Shishupal Kumar @ Munnilal Son Of Niranjhan Prajapat Resident Of Village- Juri, Nawadih, P.O. And P.S.- Banke Bazar, District-Gaya
3. Ajay Kumar @ Prince Kumar Son Of Gupteshwar Prasad Resident Of Village- Bechubigha, Juri, P.O. And P.S. Banke Bazar, District- Gaya
4. Jitendra Paswan Son Of Rambriksh Paswan Resident Of Village- Bechubigha, Juri, P.O. And P.S. Banke Bazar, District- Gaya
5. Uday Singh @ Uday Kumar Dangi Son Of Sarju Singh @ Sarjun Mahto Resident Of Village- Juri Nawadhi, P.O. And P.S. Banke Bazar, District-Gaya
6. Ravikant Kumar @ Ravi Kumar Son Of Upendra Prasad Resident Of Village- Bechubigha, Juri, P.O. And P.S. Banke Bazar, District- Gaya
7. Satish Kumar @ Timen Kumar Son Of Dhanjay Prasad Resident Of Village- Juri, P.O. And P.S. Banke Bazar, District- Gaya
8. Niranjana Kumar @ Ranjay Kumar Son Of Kapildeo Resident Of Village- Juri, P.O. And P.S. Banke Bazar, District- Gaya
9. Sukesh Kumar @ Abhay Kumar @ Madhu Son Of Chandrashekhar Singh Resident Of Village- Juri, Nawadih, P.O. And P.S. Banke Bazar, District-Gaya
10. Manoj Kumar Singh Son Of Ramprasad Singh Resident Of Village- Juri, P.O. And P.S. Banke Bazar, District- Gaya
11. Anil Kumar Son Of Rameshwar Singh @ Rajeshwar Prasad Resident Of Village- Juri Nawadih, P.O. And P.S. Banke Bazar, District- Gaya
12. Shivnandan Singh Vikram Son Of Shosai Singh @ Soharai Singh Resident Of Village- Tandwa, P.O. And P.S. Bankey Bazar, District- Gaya
13. Taranath Prasad @ Taranat Prasad Son Of Sahdeo Prasad @ Sahadev Kurmi Resident Of Village- Jamuara Kala, P.O. Jamuara, P.S.- Raushanganj, District- Gaya
14. Jayant Kumar Satyarathi Son Of Ramlakhan Prasad Resident Of Village- Baltharwa, P.O. And P.S.- Bankey Bazar, District- Gaya
15. Kaushal Kumar Son Of Uday Prasad Resident Of Village- Bankey Bazar, P.O. And P.S.- Bankey Bazar, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh, Advocate
For the Opposite Party/s : Mr. Anant Kumar 1, APP



CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 10-01-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend arrest in connection with Roushanganj (Bank Bazar) P.S. Case No. 158 of 2023 dated 02.06.2023, instituted for the offence punishable under Sections 147, 148, 149, 341, 342, 323, 324, 337, 338, 353, 307, 427, 188 of the Indian Penal Code.

3. The allegation against the petitioners is that the petitioner along with 33 F.I.R. named accused persons and 150 unknown anti-social elements said to have blocked the road without permission by forming unlawful gathering, damaged the road by burning tyres and attacked the passengers with sticks injuring them badly.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is also alleged that all the accused persons obstructed the government work and caused injury to police personnel. It is submitted that petitioners' name has come only on the basis of disclosure made by the *Chowkidar*. It is submitted that there is no specific allegation against the petitioners rather the allegation levelled against the petitioners is



general and omnibus. It is further submitted that not a single independent witness has come forward to support the case of the prosecution. Lastly, it has been submitted that they have no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for bail of the petitioners.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioners in connection with Roushanganj (Banke Bazar) P.S. Case No. 158 of 2023, they shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Sherghati, Gaya, subject to condition as laid down under Section 438(2) of the Cr.P.C..

(Khatim Reza, J)

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