

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84216 of 2023

Arising Out of PS. Case No.-494 Year-2023 Thana- HATHAURI District- Samastipur

1. Ram Binay Kumar Singh @ Ram Vinay Singh aged about 30 years (Male) Son Of Ram Prakash Singh
2. Tapeswar Mandal @ Tapeswar Singh aged about 40 years (Male) Son Of Dhanokhi Singh
3. Sikandar Safi aged about 40 years (Male) Son Of Utam Safi
4. Santosh Kumar Singh @ Santosh Kumar aged about 32 years (Male) Son Of Rajendra Mandal
5. Mithlesh Kumar Safi aged about 38 years (Male) Son Of Ashok Safi
6. Manoj Kumar @ Manoj Kumar Bharti aged about 28 years (Male) Son Of Rajendra Mandal
7. Ram Binod Safi @ Ram Binod Sharma aged about 50 years (Male) Son Of Kari Sharma
8. Ranjeet Singh @ Lalo Singh @ Ranjeet aged about 33 years (Male) Son Of Ram Binod Singh
9. Ravindra Prasad Singh @ Ravindra Singh aged about 45 years (Male) Son Of Raj Kumar Singh
10. Nandan Safi aged about 50 years (Male) Son Of Vishnudev Safi
11. Pramod Kumar Safi aged about 45 years (Male) Son Of Ramchandra Safi
12. Ram Karan Singh @ Tuntun Singh aged about 32 years (Male) Son Of Shatrughan Mandal
13. Prabhat Kumar @ Prabhat Kumar Sah aged about 30 years (Male) Son Of Domi Sah
14. Rahul Kumar @ Rahul Singh aged about 35 years (Male) Son Of Ram Punit Singh
15. Tarun Singh aged about 42 years (Male) Son Of Harikant Singh
All resident of Village - Kariyan, P.S. - Rosera, District – Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 18-01-2024

Heard Mr. Vinay Kumar Mishra, learned counsel



appearing on behalf of the petitioners and Mr. Shahabuddin Azeem @ S. Azeem, learned APP for the State.

2. Hard copy of the supplementary affidavit filed on behalf of the petitioners is directed to be kept on record.

3. At the outset, learned counsel appearing on behalf of the petitioners seeks permission to make certain correction in paragraph no. 1 of the bail application in course of the day.

4. Permission accorded.

5. The petitioners seek pre-arrest bail in connection with Rosera P.S. Case No. 494 of 2023 registered for the offence punishable under Sections 147, 149, 323, 353 and 504 of the Indian Penal Code.

6. As per the allegation made in the FIR, all the accused persons named in the FIR including the petitioners had obstructed the police officials in performing public duty.

7. Learned counsel appearing on behalf of the petitioners submitted that petitioners are innocent and have falsely been implicated in the present case due to village politics. General and omnibus allegation has been levelled against the petitioners. Petitioners have clean antecedents. On these grounds, petitioners seek to be released on pre-arrest bail.

8. Learned APP for the State vehemently opposed the



prayer for grant of pre-arrest bail.

9. Considering the nature of allegation being general and omnibus and petitioners having antecedents, the petitioners, above named, are directed to be released on pre-arrest bail, in the event of their arrest or surrender before the Court below within a period of four 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 learned Judicial Magistrate- 1st Rosera, Samastipur, in connection with Rosera P.S. Case No. 494 of 2023, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

10. **The Court below is directed to verify the criminal antecedent of the petitioners as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioners as what has been stated in paragraph no. 3, this order will lose its force automatically.**

(Purnendu Singh, J)

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