

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6865 of 2025

Arising Out of PS. Case No.-109 Year-2023 Thana- SANGRAMPUR District- East
Champaran

-
1. Mukesh Mishra S/O Vinod Mishra R/O Vill.- Sangrampur, P.S.- Sangrampur, Dist.- East Champaran.
 2. Guddu S/O Prabhu Pandit R/O Vill.- Bariyariya, P.S.- Sangrampur, Dist.- 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.Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

2 14-02-2025 Heard the parties.

2. The petitioners apprehend their arrest in connection with Sangrampur P.S. Case No. 109 of 2023, registered for the offences punishable under Sections 147, 149, 353, 290 of the Indian Penal Code and Sections 3/4 of the Prevention of Damage to Public Property Act.

3. Allegedly, in support of one Manish Kashyap, all the FIR named accused persons and 20-25 unknown persons have blocked the public road and also started burning tyre and created nuisance. On aforesaid information, the police reached at the place of occurrence, whereupon the accused persons, including the petitioners, made obstruction to the police party in



discharging of their official duty and also caused damage to the public property.

4. Learned Advocate for the petitioners submits that the FIR has been instituted against the five named accused persons and 15-20 unknown persons with omnibus nature of allegation, however, neither any injury has caused to any person nor there is any allegation of overt act against the petitioners. Taking note of the aforesaid facts, one of the co-accused person, who was facing identical allegation, has been allowed the privilege of anticipatory bail by this Court in Cr. Misc. No. 42232 of 2023 vide order dated 02.08.2023. It is lastly contended that so far as the petitioner no. 1 is concerned, he bears one criminal antecedent, whereas petitioner no. 2 bears fair antecedent.

5. On the other hand, learned counsel for the State opposes the bail application and submits that the petitioners have made obstruction to the police party in discharging of public duty.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation and the fact that co-accused person, having identical allegation has been allowed the privilege of anticipatory bail by



this Court, let the petitioners abovenamed be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 Chief Judicial Magistrate, Motihari, East Champaran in connection with Sangrampur P.S. Case No. 109 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

Anjani/-

U		T	
---	--	---	--

