

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64121 of 2024

Arising Out of PS. Case No.-42 Year-2024 Thana- MADHUBAN District- East Champaran

1. Sunny Kumar S/o Lakshman Ram R/o vill - Bajitpur, Punar Murgai Chak, P.s - Madhuban, Distt. - East Champaran
2. Tetari Devi W/o Pasindra Ram R/o vill - Bajitpur, Punar Murgai Chak, P.s - Madhuban, Distt. - East Champaran
3. Sangeeta Devi W/o Dhiraj Ram R/o vill - Bajitpur, Punar Murgai Chak, P.s - Madhuban, Distt. - East Champaran
4. Mahesh Ram S/o Shiv Ram R/o vill - Bajitpur, Punar Murgai Chak, P.s - Madhuban, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Ranjan
For the Opposite Party/s : Mr. Prem Kumar Jha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-02-2025 1. Heard learned counsel for the petitioners and learned APP for the State.

2. The learned counsel for the petitioners seeks permission to withdraw the anticipatory bail application with respect to petitioner no.2 and 4, who were arrested during pendency of the anticipatory bail application.

3. Permission is accorded.

4. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 337, 325, 307, 332, 333, 353, 427, 504 and



506 of the Indian Penal Code and Sections 3 and 4 of the Prevention of Damage to Public Property Act, 1984.

5. The learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and the informant alleges that an accident occurred as a four wheeler vehicle dashed and entered a hut, thereafter, a crowd gathered with an intention to assault the driver and the inmates of the car, which had caused the accident. It is next alleged that when informant tried to reason out with the mob, the mob was not willing to listen and got agitated and even assaulted the police personnel causing injury and damaged the police vehicle and the miscreants were identified by the Chaukidar.

6. The learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case. It is further submitted that it does not appear probable that Chaukidar would have identified so many persons against whom, it is alleged that they gathered when the accident took place. It is also submitted that petitioners reside nearby the place of occurrence as such on hearing ruckus they had come to the place of occurrence and came to be implicated.

7. Learned A.P.P. opposes the anticipatory bail application.



8. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, are directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M., 1st Class, East Champaran at Motihari in connection with Madhuban P. S. Case No.42 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Satyavrat Verma, J)

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