

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61036 of 2025

Arising Out of PS. Case No.-151 Year-2017 Thana- MADHUBAN District- East Champaran

Bablu miya @ Alauddin @ Md. Allauddin @ Md. Bablu @ Md. Bablu Miya
Md sallauddin @ Ghoran Miya Resident of Village - Bishunpur Tara, P.S. -
Madhuban, Dist. - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

Mr. Hemant Rai

For the Opposite Party/s : Mr.Syed Ehteshamuddin

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 2 10-09-2025 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Madhuban Police Station Case No. 151 of 2017, dated 18.06.2017, disclosing offences punishable under Sections 188/143/147/148/149/341/323/324/325/353/307/504/506/120-B of the Indian Penal Code.
3. The prosecution case, as per the First Information Report lodged on the basis of statement of Station House Officer Madhuban Police Station, namely, Sandeep Kumar, is that on 17.06.2017, at about 09:15 AM, the informant got information that a Bolero vehicle dashed a boy, namely, Himanshu Kumar, near Hariharpur village, due to which



the said boy died at the spot. When the police reached the place of occurrence, the informant saw 200-300 persons having obstructed the traffic and creating nuisance and when the police tried to pacify the matter, the persons, gather there, became furious and assaulted the police party with lathi, danda, brick, etc., due to which the police personnel sustained injuries. The accused persons also tried to snatch their fire arms.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to ulterior motive. He further submits that the petitioner is not named in the First Information Report and there is general and omnibus allegation against all the accused persons. He further submits that similarly situated co-accused persons have been granted anticipatory bail by different Co-ordinate Benches of this Court, vide order dated 30.08.2023, passed in Criminal Misc. No. 52034 of 2023, order, dated 01.12.2023. passed in Criminal Misc. No. 75262 of 2023, order, dated 30.04.2025 passed in Criminal Misc. No. 23026 of 2025 and the order, dated 20.05.2025, passed in Criminal Misc. No. 32019 of 2025.



5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that the petitioner is not named in the First Information Report, there is general and omnibus allegation against all the accused persons and similarly situated co-accused persons have been granted anticipatory bail by this Court, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 4th Additional Chief Judicial Magistrate, East Champaran, at Motihari, in connection with Madhuban Police Station Case No. 151 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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