

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72815 of 2025

Arising Out of PS. Case No.-829 Year-2019 Thana- JAKKANPUR District- Patna

1. Hareram Kumar @ Hareram, S/O Shri Ram Anuj Raj, Resident of village- Janta Road, Gardanibagh, P.S- Gardanibag, Dist.- Patna
2. Manoj Kumar, S/O Late Jagdish Prasad, R/O Janta Road, Gautam Nagar, P.S- Gardanibagh, Dist- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 03-12-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Jakkanpur P.S. Case No. 829 of 2019 registered for the offences punishable under Sections 147, 148, 149, 323, 341, 342, 307, 353, 435, 332 and 333 of the Indian Penal Code.

3. On the fateful day, on account of rash and negligent driving of a truck driver, a motorcycle rider lost his life, due to which the unruly mob created ruckus and started raising slogans against the police personnel, while they were taking the dead body for post-mortem. There is omnibus allegation against 200-250 people, who are armed with Lathi, Danda, bricks and stone caused obstruction to the police parties from discharging their



official duties.

4. Learned Advocate for the petitioners submitted that none has sustained any serious injuries and on account of this reason alone, no case, much less, under Section 307 or 333 of the Indian Penal Code is made out. Only because of some criminal antecedent, the name of the petitioners have been implicated in this case. Since the F.I.R. has been instituted against five named accused persons, including the petitioners, and 200-250 unknown miscreants, the petitioners were not aware with respect to the present case and thus delay occurred. The petitioner no.1, though bears five criminal antecedent, whereas the petitioner no.2 is absolutely fair antecedent.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioners were named in the F.I.R. and they were evading their arrest since six years, besides the fact that petitioner no.1 bears five criminal antecedent.

6. Having considered the submissions advanced by the learned Advocate for the respective parties and taking note of the fact that the F.I.R. was instituted long back in the year 2019 and since then the petitioners were evading their arrest, besides the petitioner no.1 bears five criminal antecedent, this



Court is not acceded to the prayer for grant of anticipatory bail to **petitioner no.1, namely, Hareram Kumar @ Hareram.** Accordingly, the same stands **rejected.**

7. So far as petitioner no.2 is concerned, he bears fair antecedent and omnibus nature of allegation against him, let the petitioner no.2, namely, **Manoj Kumar**, in the event of his arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VIII, Patna in connection with Jakkanpur P.S. Case No. 829 of 2019, subject to the condition as laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close relative of the petitioner.

(Harish Kumar, J)

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