

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24 of 2025

Arising Out of PS. Case No.-76 Year-2019 Thana- SIKRAUL District- Buxar

Amavash Choudhary S/O Late Lakhan Chauhan R/O Village- Paharpur, P.S-
Sikroul, Distt.- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Rai Sharma, Adv
For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 22-03-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Sikroul P.S Case No. 76 of 2019 registered for the offence punishable under Sections 148, 149, 341, 323, 308, 427 and 353 of the I.P.C.

3. As per the prosecution case, on 30.06.2019 the informant received an information during patrolling that one *Jhanardhan Choudhary* who is wanted in P.S. Case No. 74 of 2019 is present near Peppermint Boiler. For verification of the said information, the informant along with his police personnel reached the place of occurrence and on seeing the police vehicle one person tried to flee but somehow they catch him, on query he disclosed his name as *Janardhan Choudhary*. In the meantime, 21 known persons and about 50 unknown accused



persons including the petitioner variously armed with *lathi*, *danda*, *sickle* and *bricks* came and started abusing and assaulting the informant and his team due to which one *A.S.I. Ashok Mishra* sustained injuries on his hand, shoulder and finger and S.A.P. Forcemen, namely, *Jai Prakash Singh*, *Mithilesh Kumar Dinkar* and *Ajay Kumar Anjan* also sustained injuries and they were treated in P.H.C. at Nawanagar.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner was not present at the place of occurrence. It has further been stated that the petitioner is a laborer who was just standing near the place of occurrence as a spectator and he has little knowledge about the person who has evade the police. Similarly situated co-accused persons have already been granted bail by the coordinate Bench of this Court vide order dated 23.02.2024 passed in Cr. Misc. No. 11432 of 2024. The petitioner has clean antecedent as stated in para 3 of the bail petition and he is in no way connected with the alleged crime.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that the petitioner's bail was rejected on 06.11.2023



but after almost more than a year he has approached this Hon'ble Court filing the present anticipatory bail application. The allegation against the petitioner is that he was the member of the mob and attacked police personnel while discharging their official duty.

6. Considering the aforesaid facts and circumstances of the case and the allegation against the petitioner is general and omnibus in nature and nothing specific has been alleged against him and also the fact that the petitioner doesn't have the criminal antecedent, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Buxar, in connection with Sikroul P.S Case No. 76 of 2019, subject to the conditions as laid down under Section 482(2) of the Bharitya Nagrik Suraksha Sanhita (B.N.S.S.).

7. Accordingly, the present application stands allowed.

(Sourendra Pandey, J)

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