

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25448 of 2026

Arising Out of PS. Case No.-353 Year-2023 Thana- BIBHUTIPUR District- Samastipur

1. Sujata Kumari @ Sujata Devi W/o Amresh Giri Resident of Village- Angarghat Ward No. 06, P.S.- Angarghat, Dist.- Samastipur
2. Amresh Giri S/o Ram Dayal Giri Resident of Village- Angarghat Ward No. 06, P.S.- Angarghat, Dist.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr. Vinod Shanker Modi, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-05-2026 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 353, 379, 504, 506, 511 and 427 of the Indian Penal Code.

3. As per prosecution case, it is alleged that all the F.I.R. named accused persons, including these petitioners, along with some unidentified persons, created obstruction by putting a dead body on road and in course of it, the accused persons also attacked on the police party and created hindrance in discharge of their official duty.

4. It is submitted by learned counsel appearing on



behalf of the petitioners that petitioners are quite innocent and have committed no offence. F.I.R. was lodged against 22 named accused persons, including these petitioners and about 40 to 50 unknown persons, merely on the basis of disclosure made by local *Chawkidar*. Allegation of assault is general and omnibus and no specific accusation of overt act has been alleged against petitioners. Petitioners are only alleged to be members of the mob. It is lastly submitted that similarly situated co-accused person, namely Suman Kumar Giri, has already been granted privilege of anticipatory bail by a Co-ordinate Bench of this Hon'ble Court *vide* order dated 15.02.2025 passed in Cr. Misc. No. 3361 of 2025. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State vehemently opposed the bail application.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation, claim based on parity and clean antecedents of the petitioners, this anticipatory bail is allowed and it is ordered that let the above named petitioners in the event of their arrest/surrender before the court below within a period of eight weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of



Sub-Divisional Judicial Magistrate, Rosera, Samastipur in connection with Bibhutipur P. S. Case No. 353 of 2023, subject to condition as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

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