

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34512 of 2026

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

1. Santoshi Devi wife of Sunil Giri Resident of Village -Kahartoli PS- Goraul Dist -Vaishali At Present Resident at village- Kalyanpur Ps- Bibhutipur, Dist- Samastipur
2. Ajay Kumar Son of Sunil Giri Resident of Village -Kahartoli PS- Goraul Dist -Vaishali At Present Resident at village- Kalyanpur Ps- Bibhutipur, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Ram Mishra, Advocate
For the Opposite Party/s : Mr. Uday Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 15-05-2026 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. Learned counsel for the petitioners submits that



petitioners are quite innocent and have committed no offence. F.I.R. was lodged against 22 named accused persons, including 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 these petitioners. Petitioners are only alleged to be members of the mob. It is lastly submitted that similarly situated co-accused person, namely, Laxami Ray has already been granted privilege of anticipatory bail by this Court *vide* order dated 09.02.2026 passed in Cr. Misc. No. 83377 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 learned 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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