

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59728 of 2024**

Arising Out of PS. Case No.-34 Year-2024 Thana- Mission District- Sheikhpura

1. Indradeo Sharma S/O Janglee R/O - Mohalla - Bishwakarma nagar, Ganjper, Barbiga, P.S- Barbiga, Distt.- Sheikhpura.
2. Mukesh Kumar S/O Indradeo Sharma R/O Mohalla- Bishwakarama Nagar, Ganjper, Barbiga, P.S- Barbiga, Distt.- Sheikhpura.
3. Chhotu Sharma @ Chhotu S/o Chalitra Mistry (Son-in-Law Of Indradeo Sharma) R/O Village- Shahabad, P.S- Katrisarai, Distt.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Mukesh Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA**  
**ORAL ORDER**

4      29-11-2024      1. Heard the parties.

2. The petitioners apprehend their arrest in connection with Mission P.S. Case No. 34 of 2024 dated 22.06.2024 registered for the offence under Sections 341, 323, 353, 332, 333, 307, 427 / 34 of the I.P.C.

3. As per the First Information Report three persons riding on a motorcycle upon seeing the police party near Alinagar (Nalanda) tried to flee away but fell down with the motorcycle. The police party reached at the place of occurrence and arrested them. Smell of wine was coming from them. Suddenly, 14-15 persons armed with “lathi”, “danda”, “khanti”, iron rod etc. in



their hands attacked the police party, due to which some police personnel got injured and the accused persons forcibly got freed the apprehended persons from the police custody.

4. Learned counsel for the petitioners submits that petitioners are innocent and have not committed any offence in the manner alleged. He submits that the local Chaukidar has disclosed the name of the petitioners due to village politics. There is no specific allegation against the petitioners rather the allegation is general and omnibus in nature. The petitioners did not create any hindrance during discharge of official duty of the police. During investigation no evidence has come to connect the petitioners with the present offence.

5. I have heard learned counsel for the parties. The petitioners are specifically named in the F.I.R. From perusal of the F.I.R. it appears that the petitioners were actively involved in the alleged offence and created hurdle in performing official duty by the police officials and also assaulted the police personnel. The petitioners along with the co-accused created unruly scene when the police party arrived to discharge their official duty and forcibly got freed the persons from the police custody. An attack on police team while on official duty undermines the safety and security of the law enforcement



agency. Incidents of mob violence against the law enforcement agencies have become the order of the day now in this State which can be very dangerous often escalating tensions and compromising public safety. Furthermore, anticipatory bail application of similarly situated co-accused / Pappu Sharma @ Pappu Mistri has been rejected by this Court vide order dated 30.10.2024 passed in Cr. Misc. No. 70252 of 2024.

6. Accordingly, I am not inclined to grant the petitioners the privilege of anticipatory bail.

7. This application is accordingly rejected.

**(Anil Kumar Sinha, J)**

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