

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19718 of 2018

Arising Out of PS. Case No.-363 Year-2017 Thana- RAMNAGAR District- West Champaran

Ram Babu Prasad Gupta @ Rambabu Gupta, S/o Late Shambhu Sah, R/o
Mohalla- Narainapur, P.S.- Ramnagar, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kr. Singh No. 1, Adv.

For the Opposite Party/s : Mr. J. N. Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-04-2018 Heard learned Counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 337, 427, 379, 153A, 295, 295A and 296 of the Indian Penal Code.

The prosecution case got initiated on the basis of written report submitted by Md. Alauddin Rayeen addressed to the Station House Officer, Ramnagar Police Station, to the effect on 02.10.2017 at 2.30 P.M. on the eve of immersion of the idol of Goddesses Durga, a procession of 1000 people variously armed raised provocative slogans. On protest being made, the accused persons abused the persons of Muslim community and assaulted by means of lathi and danda.



It is submitted by learned counsel for the petitioner that there is counter version of the accusation being Ramnagar P.S. Case No.362 of 2017 registered under Sections 147, 148, 149, 323, 337, 427, 379, 153A, 295, 295A and 296 of the Indian Penal Code. Accusation is omnibus and general. Moreover, the co-accused persons have been granted anticipatory bail vide Criminal Miscellaneous Nos. 11581 of 2018 and 56165 of 2017, as contained in Annexures-3 and 4. Though the petitioner is accused in five other cases, apart from the present case, but he has been acquitted in two of the cases and in other two cases, he is on bail, whereas, in one case his bail application is pending.

It is submitted by Mr. J. N. Thakur learned APP for the State that the petitioner is accused in five other cases apart from the present case.

Considering the accusation being omnibus and general, let the above named petitioner be released on provisional anticipatory bail for six months, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned SDJM, Bagaha, in connection with Ramnagar P.S. Case No.363 of 2017, subject to the conditions



as laid down under Section 438(2) of the Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned Court below after getting a report from the concerned Police Station with regard to the conduct of the petitioner in six months.

(Dinesh Kumar Singh, J)

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