

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48023 of 2019**

Arising Out of PS. Case No.-717 Year-2018 Thana- BETTIAH CITY District- West
Champaran

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Rahul Kumar, Son of Doma Sah Resident of Village- Kalibagh, P.S.- Bettiah
Town, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra

For the Opposite Party/s : Mr.Md. Matloob Rab

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 06-08-2019 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

Petitioner apprehends his arrest in connection with
Bettiah Town P.S. Case No.717 of 2018 for the offence punishable
under Sections 147, 148, 149, 188, 153(A), 153(B), 332, 333, 337,
338, 353, 307, 295A of the Indian Penal Code.

The allegation against the petitioner is that petitioner
along with other accused persons and 400 to 500 unknown persons
were indulged in brick batting on the procession of Mahaveer
Akhara in order to create communal disturbances.

Learned counsel for the petitioner submits that petitioner
has got no criminal antecedent and the case which has been lodged
against the petitioner relates to the same incident. Learned counsel
fuhrer submits that nobody has got injury due to the alleged brick



batting in which 400 to 500 persons were also allegedly involved and learned counsel further submits that similarly situated accused persons have been granted bail by this Court in Cr. Misc. No.28787 of 2019 vide order dated 01.08.2019.

After having heard learned counsel for the petitioner as well as learned counsel appearing on behalf of the State and taking into consideration the fact that no specific allegation has been levelled against the petitioner and further nobody got injury pursuant to brick batting and similarly situated accused persons have already been granted bail, as such, I am inclined to grant anticipatory bail to the petitioner.

Accordingly, the petitioner, above named, is directed to surrender before the learned Court below within a period of four weeks from today and in the event of surrender by him, he shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-Ist, Bettiah, District-West Champaran, subject to the condition as mentioned under Section 438 (2) of Cr.P.C.

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(Anil Kumar Sinha, J)