

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11436 of 2020

Arising Out of PS. Case No.-1093 Year-2019 Thana- PHULWARISHARIF District- Patna

NARESH @ NARESH KUMAR @ NARESH CHAUHAN, aged about 40 years, Male, S/o Ramji Chauhan, R/o Mohalla- Ward No. 2, Rashtriya Ganj, Near Mili Masjid, Millat Colony, P.S.- Phulwarisharif, District- Patna.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ravi Shanker Pankaj, Advocate.
For the Opposite Party : Mr.Dashrath Mehta, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in a case for the offence registered under Sections 147, 148, 149, 353, 341, 337, 338, 327, 332, 295(a), 153(A), 435, 307, 427, 504, 506, 120(B) of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that *Rashtriya Janta Dal* has given call for a *Bihar Bandh* on 21.12.2019 in protest against the amended C.C.A. and N.R.C. Bill and the informant alongwith others officials appointed to control unlawful assembly during protest at *Phulwarisharif Area*. Some rioting at the said place, in order to control them, the police personnel used tear gas and water canon over the mob. Some persons from



the mob started firing at that place in which several persons were injured. One hundred one named persons and about one thousand unknown persons were made an accused in the present case, alleging that they are the main culprits who were involved in the said incident.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 24.12.2019. The petitioner has got no criminal antecedent. He has falsely been implicated in the present case due to village politics. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. 101 persons alongwith 1000 unknown persons are said to have been named in the F.I.R. including the petitioner. General and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub



Judge-IX-cum-A.C.J.M., Patna, in connection with
Phulwarisharif P.S. Case No. 1093 of 2019, corresponding to
G.R. No. 10454 of 2019.

(Sudhir Singh, J)

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