

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38529 of 2020
Arising out of P.S. Case No. 222, year- 2019, Thana Bhargama, District
Araria

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Naurej @ Naurej Alam @ Md. Norez Alam, Male, aged about 37 years, S/O
Kalim,, R/O Sahadat Tola, Ward No. 10, Bishariya Birnagar, P.S. Bhargama,
District- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opp. Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Choubey, Adv.

For the Opp. Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 01-06-2021

The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Shri Bhanu Pratap Singh, the learned APP appearing for the State.

The petitioner apprehends his arrest in connection with Bhargama P.S. Case no. 222 of 2019 for the offence punishable under Section 186 of the Indian Penal Code and sections 25(1-b)/26 of the Arms Act.

The allegation is regarding the accused persons including the petitioner herein having formed an unlawful assembly while Taiia procession was being taken out from



village Chharapatti Tapra and had engaged in assault by sticks, sharp weapon etc. as also had misbehaved with the general public and the police personnel.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent. It is further submitted by the learned counsel for the petitioner that a general and omnibus allegation has been levelled against the petitioner and in fact, there is no allegation of any sort of specific overt act having been indulged in by the accused persons, nonetheless in order to show his bona fide, the petitioner is ready and willing to deposit cash security of Rs.50,000/- before the Nazarat of the learned court below.

Per contra, Shri Bhanu Pratap Singh, the learned APP for the State has vehemently opposed the prayer for anticipatory bail and has submitted that rowdy mob behaviour has become rampant in the recent times and as far as the present case is concerned, the petitioner has been identified in the videography footage.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on



considering the fact that the

petitioner is ready and willing to furnish cash security to the tune of Rs. 50,000/-, apart from the fact that the petitioner has not been alleged to have caused any injury to anyone, I deem it fit and proper to direct for grant of anticipatory bail to the petitioner herein, subject to him depositing a sum of Rs. 50,000/- in cash before the Nazarat of the learned Civil Court at Araria in connection with Bhargama P.S. Case No. 222 of 2019 as also subject to fulfilment of such other conditions as may be deemed fit and proper to be imposed by the learned Court below, upon the petitioner, for the purposes of grant of anticipatory bail.

The petition stands disposed of with the aforesaid observations/directions.

(Mohit Kumar Shah, J)

Tiwary/-

