

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16114 of 2022

Arising Out of PS. Case No.-300 Year-2021 Thana- EKANGARSARAI District- Nalanda

Bhola Kumar S/o Baban Prasad R/o Village- Ekangarsarai, P.S.- Islampur,
District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar, Adv.

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 06-05-2022 For the reason of the marriage ceremony of the sister
of the petitioner having been scheduled for 9th of May, 2022,
this case has been given priority hearing.

Heard Mr. Rajeev Kumar, learned Advocate for the
petitioner and learned Additional Public Prosecutor representing
the State.

The petitioner seeks bail in anticipation of his arrest in
connection with Ekangarsarai P.S. Case No. 300 of 2021 dated
20.11.2021 instituted for the offences under Sections 341, 323,
25, 307, 354B, 504, 506/34 of the Indian Penal Code.

The accusation in the F.I.R. is that one Lukka along
with his three associates including the petitioner created
obstruction in the Barat procession.

The accused persons were demanding protection



money before permitting the Barat to go to its destination. On protest, the petitioner and others are said to have indulged in brickbats.

The learned counsel for the petitioner has submitted that the accusation is absolutely vague. The accusation is not at all specific against him. He has further submitted that the injuries suffered by the victims are all simple in nature. It has also been urged that because of some dispute during the Barat procession, an occurrence had taken place but, the Informant has chosen to exaggerate the allegations in the F.I.R.

Be that as it may, the learned counsel for the petitioner has submitted that because of the dispute having erupted at the time when a Barat was about to leave for its destination, the parties have decided to jettison their differences and settle their disputes. The Informant now does not wish to prosecute the petitioner any further. This fact has been stated in Para-10 of the petition and a petition for compounding also has been brought on record.

Regard being had to the aforestated facts and taking into account that the petitioner does not have criminal antecedent, he is directed to be released on bail, in the event of his arrest or surrender before the court below within a period



of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Hilsa (Nalanda) in connection with Ekangarsarai P.S. Case No. 300 of 2021, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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