

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26955 of 2022

Arising Out of PS. Case No.-100 Year-2018 Thana- AURANGABAD TOWN District-
Aurangabad

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PRABHU DAYAL@ PRABHU DAYAL GUPTA Son of Late Babu Ram Saw
@ Babu Ram Gupta Resident of Village - Ward no.23, Old Munsafi, Near
paramount Press, P.s.- Aurangabad (Town), Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rahul Kumar Singh

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 01-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to remove
the defects within four weeks of resumption of normal court
proceedings. In the eventuality of non-removal of defects
within stipulated period, office will place the matter before the
Bench.

The petitioner apprehends his arrest in a case registered
for the offence punishable under section 147, 148, 149, 337,
323, 435, 436, 427, 307, 332, 295(A), 333, 353, 153(A), 379,
120(B) of the Indian Penal Code.

Allegedly, on the eve of Ramnawami some altercation
had taken place between members of two communities.



It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. Similarly situated co-accused persons have been granted bail by co-ordinate bench of this court vide order dated 09.05.2018 in Cr. Misc. No.28472 of 2018. Petitioner has six criminal antecedent, as also mentioned in para-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, since similarly situated co-accused persons have been granted bail, let the above named petitioner be released on bail, in the event of her arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in Aurangabad (Town) P.S. Case



No.100 of 2018, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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