

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.26217 of 2022**

Arising Out of PS. Case No.-101 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 R/O WARD NO 23, OLD MUNSAFI,  
NEAR PARAMOUNT PRESS, P.S- AURANGABAD (TOWN), DIST-  
AURANGABAD

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with  
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=====

**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 26217 of 2022)

For the Petitioner/s : Mr.Rahul Kumar Singh

For the Opposite Party/s : Mr.Anil Prasad Singh

(In CRIMINAL MISCELLANEOUS No. 26217 of 2022)

For the Petitioner/s : Mr.Rahul Kumar Singh

For the Opposite Party/s : Mr.Anil Prasad Singh

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**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      01-09-2022      Heard the parties.

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) in **each** 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.101 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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