

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26639 of 2022

Arising Out of PS. Case No.-98 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 Ward No.- 23, Old Munsafi, Near
Paramount Press, P.S.- Aurangabad (Town), District - 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.Anil Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 11-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Aurangabad (Town) P.S. Case no. 98 of 2018 instituted for
the offence under Sections 147, 148, 149, 337, 323, 435, 436,
427, 307, 332, 295(A), 333, 353, 153(A), 379 and 120(B) of the
Indian Penal Code.

As per allegation in the FIR, petitioner along with
other co-accused persons have created hindrance by pelting
stones to the police party in discharging the official duty.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. General and omnibus allegations have been levelled



against him. He was only the member of the mob. Neither the petitioner was arrested on spot nor any incriminating article has been recovered from his possession.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Aurangabad (Town) P.S. Case no. 98 of 2018, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Aurangabad subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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