

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33831 of 2022

Arising Out of PS. Case No.-80 Year-2021 Thana- KATRA District- Muzaffarpur

1. Upendra Prasad Singh S/O Late Premlal Singh R/O Village- Chakmajahid, P.S.- Mahua, District- Vaishali
2. Lalit Kumar S/O Upendra Prasad Singh R/O Village- Chakmajahid, P.S.- Mahua, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bela Singh

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

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-11-2022 After some arguments, It is submitted by learned counsel for the petitioners that he seeks permission to withdraw this application against petitioner No.1 Upendra Prasad Singh.

Permission is accorded.

This application is dismissed as withdrawn against petitioner No.1 Upendra Prasad Singh.

However, if the petitioner no.1 surrenders and prays for regular bail, the same may be considered by the court below on its own merit without being prejudiced by this order.

So far as petitioner No.2 Lalit Kumar is concerned, the instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Katra P.S.



Case no. 80 of 2021 instituted for the offence under Sections 147, 148, 149, 341, 342, 188, 333, 353, 224, 225, 323, 307, 379, 511, 427, 337, 120B, 504, 506/34 of the Indian Penal Code.

It is a case of creating hindrance and discharging the duty of police officials by pelting stones by the petitioners along with other accused persons.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The specific allegation is against co-accused namely, Upendra Prashad Singh and allegation of abusing and assaulting is not against this petitioner. As alleged that the petitioner is member of mob, there is no such evidence of this occurrence against him.

Learned APP appearing for the state has opposed the prayer of anticipatory 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 No.2 Lalit Kumar 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 Katra P.S. Case no. 80 of 2021, 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 Judicial Magistrate, 1st Class, Muzaffarpur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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