

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64999 of 2021

Arising Out of PS. Case No.-49 Year-2021 Thana- MAGADH UNIVERSITY District- Gaya

1. RAJENDRA PRASAD Son of Late Bhagwat Sao Resident of Village- Khajwati, P.S.- Magadh University at Bodh Gaya, District- Gaya.
2. Mahendra Sao @ Mahendra Prasad Son of Sri Krishna Sao Resident of Village- Khajwati, P.S.- Magadh University at Bodh Gaya, District- Gaya.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Sinha

For the Opposite Party : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

3 21-07-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioners as well as the learned APP for the State.

At the outset, learned counsel for the petitioners has submitted that that the anticipatory bail petition of petitioner No. 1, Rajendra Prasad, has already been withdrawn as he has been arrested during pendency of bail petition.

The petitioner No. 2 apprehends his arrest in connection with Magadh University P.S. Case No. 49 of 2021, registered for the offences punishable under Sections 147, 148, 149, 504, 506, 332, 333, 353, 307, 186, 283, 188 of the Indian Penal Code.

As per allegation, thirty named accused persons and hun-



dred unknown persons resisted the police party in discharge of their official duty when the police party was removing encroachments. The accused persons broke the glass of JCB.

Learned counsel for the petitioner has submitted that petitioner is a person of clean antecedent and he is a shopkeeper. His shop was situated 6 kms away from the place of occurrence. The police has also made accused the persons who had already died much earlier from lodging of the FIR.

Considering the above-mentioned facts and circumstances especially the clean antecedent, let the petitioner No. 2, in the event of his arrest or surrender within four weeks before the learned court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of Smt. Neha Tripathi, learned Judicial Magistrate, 1st Class, Gaya in connection with Magadh University P.S. Case No. 49 of 2021, subject to the conditions as laid down under Section 438(2) Cr.P.C.

Office shall ensure that all defects are removed by the petitioners within the stipulated time provided in para-1 hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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