

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2145 of 2023

Arising Out of PS. Case No.-753 Year-2021 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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BIJAY YADAV @ BIJAY KUMAR YADAV S/o Late Tetar Yadav R/o
mohalla- Jawaripur, P.S.- Tilkamanjhi, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
: Mr. Madan Mohan. Advocate
For the Opposite Party/s : Mr. Md. Matloob Rab, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 147, 148, 149, 323, 307, 353, 332 and 337 of the Indian Penal Code and Section 27 of the Arms Act pending in the learned court below.

As per the prosecution case, during Kali Puja Visarjan at Jawaripur, the informant got information that some persons may attack during procession, therefore, route of the said procession was changed. But at 20:30 hrs 25-30 persons started throwing stones on the Sobha Yatra causing chaos. Despite change of route 40-50 persons started pelting stones and both the parties threw stones towards each other and interfered the work of police officials and pelted stones on police officials.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case.



He further submits that there is general and omnibus allegation against the petitioner. He submits that no person was injured on the in the said incident nor any article was seized. He further submits that similarly situated other co-accused person has already been granted bail by a bench of this Court vide order dated 25.03.2022 passed in Cr. Misc. No. 9410/2022. He further submits that petitioner has got no criminal antecedent as stated in para-3 of the bail application.

Learned APP for the State opposes for prayer for bail.

Considering the aforesaid facts and circumstances, let the petitioner, named above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of the learned Court below, where the case is pending/Successor court, in connection with Kotwali (Barari) P.S. Case No.753/2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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