

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7151 of 2023

Arising Out of PS. Case No.-144 Year-2020 Thana- LAHERIMUHALLA District- Nalanda

SHIV KUMAR PRASAD @ KARA MAHTO Son of Late Bodhi Mahto R/o
Mohalla- Singar Hat, (Chhoti Pahari), P.S.- Sohsarai, District- Nalanda
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Bijendra Kumar, Advocate
For the Opposite Party/s : Mr.Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner, in the present case, is seeking pre-arrest bail in connection with Laheri P.S. Case No. 144 of 2020 registered for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 504, 506, 427, 109, 188, 269, 270, 271, 332, 353, 307 of the Indian Penal Code and section 3/4 of Damage to Public Property Act and Section 51 of the National Disaster Management Act, 2005. He has no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, while the informant got secret information that at Mama Bhagina More N.H.31 300-400 unknown persons have blocked the road, thereafter



he reached there and found that as temporarily Sabji Bazar Samiti was shifting to Deepnagar Stadium, the crowd was blocked the road and started brick batting on police party.

Learned counsel for the petitioner submits that there is general and omnibus allegation against the petitioner. There is no specific allegation against the petitioner.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case, the allegation being general and omnibus against 300-400 persons who were protesting, the petitioner has no criminal antecedent, this Court, therefore, directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate – 5th, Nalanda at Bihar Sharif in connection with Laheri P.S. Case No. 144 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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