

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9413 of 2023**

Arising Out of PS. Case No.-1003 Year-2022 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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RAJENDRA KUMAR YADAV @ RAJENDRA KUMAR S/O Anant Yadav
R/O Village- Jhoparpatti, Badi Khanjarpur, P.S- Barari, District- Bhagalpur
... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Sheo Nandan Prasad, Advocate
For the Opposite Party/s : Mr.Md. Fahimuddin, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 17-05-2023 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 Kotawali Jogasar P.S. Case No. 1003 of 2022 registered for the offences punishable under Sections 147, 148, 149, 323, 353, 427, 188, 290 of the Indian Penal Code. He has no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, the informant has alleged that on the eve of immersion procession of Idol of Goddess Kali, he along with police force had departed from the police station for maintenance of law and order situation in that area. The Kali Puja Idol was leaving for Mushari Ghat through the urban area, in the meantime, some people in the procession



became furious and started beating the nearby people badly. Some persons were badly injured. The informant further alleged that the said occurrence was created by 17 accused persons including 15-20 unknown persons.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that from perusal of the FIR 17 persons were named including the petitioner and 15-20 unknown. Petitioner has no concern with the alleged occurrence.

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, there being general and omnibus allegations against the petitioner and the co-accused similarly situated have been granted privilege of anticipatory bail by learned coordinate Bench of this court in Cr. Misc. No. 13670/2023 vide order dated 29.04.2023, 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 Chief Judicial Magistrate, Bhagalpur in connection with



Kotwali Jogasar P.S. Case No. 1003 of 2022, 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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