

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17539 of 2023

Arising Out of PS. Case No.-148 Year-2022 Thana- AAJAM NAGAR District- Katihar

TAUQUER ALAM S/O Mansoor Alam R/O Village- Kathotia, P.O-
Jagdishpur, P.S- Bari, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey,Adv.
For the Opposite Party/s : Mr.Pushpa Sinha,APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-05-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Azamnagar P.S. Case No.148 of 2022, registered for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 332, 352, 353, 333, 307, 427 and 188 of the Indian Penal Code and Sections 3 and 4 of Prevention of Damage to Public Property Act, 1984.

The accused persons including the petitioner herein, numbering 50 in all, apart from several other unknown persons are stated to have gathered near R.D.S. College, whereafter they had



blocked the road and raised slogans against the district administration on account of death of a girl, whereupon they had also pelted stones on the police force as also had obstructed them from discharging their official duties.

The learned counsel for the petitioner submits that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that a general and omnibus allegation has been levelled qua all the accused persons, including the petitioner herein and the petitioner has not been alleged to have engaged in any sort of specific overt act. It is also submitted that similarly situated co-accused persons have already been granted the privilege of bail by co-ordinate Benches of this Court, vide orders dated 09.02.2023, 17.04.2023 and 17.05.2023, passed in Cr. Misc. No.1739 of 2023, Cr. Misc. No.7552 of 2023 and Cr. Misc. No.11593 of 2023, respectively.

Per contra, the learned APP for the State



has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner, taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-accused persons, who have already been granted the privilege of anticipatory bail by co-ordinate Benches of this Court, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Katihar in connection with Azamnagar P.S. Case No.148 of 2022, subject to the conditions



as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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