

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14362 of 2023

Arising Out of PS. Case No.-180 Year-2021 Thana- NAVINAGAR District- Aurangabad

Manish Kumar, Son of Murali Singh @ Ajay Chandravanshi, R/O Village-
Janakpur Pokhra, P.S.- Nabinagar, District- Aurangabad (Bihar)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

with

CRIMINAL MISCELLANEOUS No. 14682 of 2023

Arising Out of PS. Case No.-180 Year-2021 Thana- NAVINAGAR District- Aurangabad

Mantu Ram @ Ajeet Kumar, S/O Bhola Ram, Resident of Village- Janakpur,
P.S.- Nabinagar, District- Aurangabad (Bihar).

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

(In CRIMINAL MISCELLANEOUS No. 14362 of 2023)

For the Petitioner/s : Mr. Leelawati Kumari, Advocate

For the Opposite Party/s : Mr. Fahimuddin, APP

(In CRIMINAL MISCELLANEOUS No. 14682 of 2023)

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-05-2023 Heard learned counsel for the petitioners and learned
APP for the State in both the applications.

The petitioners in both the applications are seeking pre-arrest bail in connection with Navinagar P.S. Case No. 180 of 2021 registered for the offences punishable under Sections 147, 148, 149, 323, 337, 307, 332, 333, 353, 427, 283, 188, 504 of the Indian Penal Code. Petitioner in Cr. Misc. No. 14362 of 2023 has one criminal antecedent whereas petitioner in Cr. Misc. No. 14682 of



2023 has two criminal antecedents.

As per the prosecution story, 76 named including these petitioners and 300-400 unknown persons blocked the Nabinagar main road while protesting upon the death of a person. It is alleged that they burnt tyres and pelted stones over the police.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. It is submitted that there is no specific allegation against these petitioners.

Learned APP for the State has opposed the prayer for anticipatory bail of the petitioners in both the applications.

Having regard to the facts and circumstances of the case wherein general and omnibus allegations have been made against a large number of persons who were protesting upon the death of a person, there being no specific allegation against the petitioner and the co-accused similarly situated has been granted privilege of anticipatory bail by a learned Co-ordinate Bench of this Court in Cr. Misc. No. 69537 of 2021, hence, this Court directs that in case of their arrest or surrender within a period of four weeks from today, the petitioners above named be released on bail in connection with Navinagar P.S. Case No. 180 of 2021 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five



Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad (Bihar), 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

This application stands allowed.

(Rajeev Ranjan Prasad, J)

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