

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21550 of 2023

Arising Out of PS. Case No.-190 Year-2019 Thana- LODIPUR District- Bhagalpur

Md Bablu, Son Of Lt. Md Jalal Resident Of Village- Shreerampur Dih, Ps-
Lodipur, District- Bhagalpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms.Shweta, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 24-06-2023 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 Lodipur P.S. Case No. 190 of 2019 registered for the offences punishable under Sections 147, 148, 149, 342, 323, 325, 307, 354(B), 298, 153(A), 448, 504, 506, 279, 337 of the Indian Penal Code and Section 3, 4 of the Explosive Substance Act. He has one criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, the informant has alleged that while his grandson (Nati) aged about four years had met with an accident from the motorcycle of the accused Md. Ahasan and when he opposed, all the accused persons abused him and assaulted and also thrown his daughter in the pond. It is further alleged that about 500-600 persons were assembled and



started throwing stone and misbehaved with the women.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that there is no specific allegation of causing overt act against the petitioner, he is said to be a member of unlawful assembly of 500-600 persons.

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 wherein it is submitted that there is no specific allegation of causing overt act against the petitioner, he is said to be a member of unlawful assembly of 500-600 persons who had allegedly assembled and formed an unlawful assembly, the co-accused similarly situated have been granted privilege of anticipatory bail by the learned coordinate Bench of this Court vide order as contained in Annexure '3' series, this Court 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 bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of Sri P.K. Ranjan, learned Judicial Magistrate – 1st Class, Bhagalpur, in connection with Lodipur P.S. Case No. 190 of



2019, 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.

And further condition that within two weeks from
today the petitioner shall appear before the Investigating Officer
of the case and continue to cooperate with the investigation.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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