

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22233 of 2023

Arising Out of PS. Case No.-130 Year-2023 Thana- MOTIHARI TOWN District- East
Champaran

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1. Sunny Kumar S/O- Anil Prasad Village- Henari Bazar Ps- Town Dist- East Champaran
 2. Vicky Kumar @ Ritesh Kumar Gupta @ Vicky Gupta Son Of Pradip Prasad @ Pradip Kumar Village- Henari Bazar Ps- Town Dist- East Champaran
 3. Arjun Kumar @ Nandan Kumar Son Of Vijay Prasad Village- Henari Bazar Ps- Town Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Ms. Asha Devi

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 03-07-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 332, 333, 353, 188, 427, 504, 506 of the Indian Penal Code.

As per the prosecution case, when the informant along with police party was on patrolling duty, he received an information that some scuffle took place near Badi Masjid between two communities for immersion of idol. Thereafter, they reached there and saw that gathered people were creating nuisance.

Learned counsel for the petitioners submits that



petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that there is no specific overt act against the petitioners. He further submits that the petitioners were not arrested at the spot. It is not mentioned in the FIR that as to how the informant could identify the petitioners by giving their names and parentage. Petitioners have one criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Town P.S. Case No.130 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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