

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37657 of 2023

Arising Out of PS. Case No.-606 Year-2022 Thana- LAHERIMUHALLA District- Nalanda

MINTU KUMAR @ KOCKROACH SON OF KRISHNA KEWAT
RESIDENT OF MOHALLA - DEVI SARAI, P.S. - DEEPNAGAR,
DISTRICT - NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR, PATNA

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 38162 of 2023

Arising Out of PS. Case No.-606 Year-2022 Thana- LAHERIMUHALLA District- Nalanda

SURAJ PASWAN Son of Rajpal Paswan Resident of Mohalla - Devisarai,
P.S.- Deepnagar, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 37657 of 2023)

For the Petitioner/s : Mr.Anil Kumar, Adv.

For the Opposite Party/s : Mr.Parmanand Prasad, APP

(In CRIMINAL MISCELLANEOUS No. 38162 of 2023)

For the Petitioner/s : Mr.Sanjay Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 2 31-07-2023 As both these cases arise out of the same occurrence and same P.S. case numbers, both are being taken up and heard together and are being disposed of by this common order.
2. Heard learned counsel for the petitioners and learned APP for the State.
3. The petitioners apprehend their arrest in a case registered



for the offence punishable u/s 147, 148, 149, 341, 323, 353, 307, 427, 120B of the IPC and section 27 of the Arms Act.

3. As per the prosecution case, a mob of 50 to 60 unsocial elements were seen coming from the side Devi Sarai towards Bus stand and a bus was damaged. One accused Shishupal Kumar fired with pistol and mob assaulted the passengers. The name of members of the mob has been mentioned in the fardbeyan.

4. It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case due to ulterior motive. The allegation leveled against the petitioners is not specific rather general and omnibus in nature. The specific allegation of firing is against the co-accused Shishupal Kumar. No person sustained any injury in the alleged occurrence. Petitioner Mintu Kumar @ Kockroach has one criminal antecedent and petitioner Suraj Paswan has no criminal antecedent and several similarly situated co-accused have been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 07.07.2023 passed in Cr. Misc. No.27489 of 2023.

5. Learned APP for the State opposed the prayer for bail.



6. Having regard to the facts and circumstances of the case, since similarly situated co-accused have been granted bail, 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 court below where the case is pending/Successor Court in connection with Laheri P.S. Case No.606 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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