

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.43794 of 2023**

Arising Out of PS. Case No.-275 Year-2023 Thana- SASARAM NAGAR District- Rohtas

KAUSHAL KUMAR, Son of- Ramkripal Singh, Mohalla- Madar Darwaja  
P.S.- Sasaram Town, Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Alok, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

2      24-07-2023                      1. Heard learned counsel for the petitioner and  
learned APP for the State.

2. Petitioner seeks regular bail in connection with  
Sasaram Town P.S. Case No. 275 of 2023 dated 31.03.2023  
registered for the offences punishable under Sections 147, 148,  
149, 188, 153(A), 341, 342, 323, 337, 338, 353, 307, 427, 435,  
436, 504, 505 and 506 of the Indian Penal Code, Section 27 of  
the Arms Act and later on Section 302 of the Indian Penal Code  
was also added.

3. The main submissions advanced by learned counsel  
Mr. Alok appearing for the petitioner are that the petitioner has  
fair and clean antecedent and a mob of more than 200 persons  
comprising of both the communities were alleged to have  
attacked people and torched the houses, in which one person



lost his life during treatment after many days from the commission of the alleged occurrence, the petitioner is not named in the FIR and has been languishing in jail since 04.05.2023 and a communal clash in between two groups of different religion was the main reason of commission of the alleged occurrence and petitioner's specific role in that incident was not revealed and several co-accused persons of both the communities, who have been made accused in the FIR have been granted bail by different Benches of this Court vide orders passed in Cr. Misc. Nos. 42251 of 2023, 42582 of 2023, 41274 of 2023, 41338 of 2023, 42157 of 2023, 43010 of 2023, 42775 of 2023, 40435 of 2023, 42575 of 2023, 42260 of 2023, 43010 of 2023 and 43344 of 2023 and the petitioner is quite innocent person and he has been falsely roped in this case.

4. Learned APP Mr. Nawal Kishore Prasad, appearing for the State opposes the prayer for bail.

5. Having regard to the facts and circumstances of this case, considering the above submissions and mainly the facts that the petitioner is not named in the FIR and a mob of more than two hundred persons of different community clashed with each other on account of some communal disturbances and petitioner's specific role in the alleged crime has not been



revealed by the prosecution and as per submission made by petitioner’s counsel several co-accused persons of both the sides have been granted bail, in my opinion, a lenient approach can be taken in respect of the petitioner’s prayer for bail. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Sasaram Town P.S. Case No. 275 of 2023.

(Shailendra Singh, J.)

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