

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43391 of 2023

Arising Out of PS. Case No.-69 Year-2020 Thana- CHORAUT District- Sitamarhi

Shambhu Choudhary Son Of Chaudhariya Chaudhary @ Shri Chaudhary
Resident Of Village- Basotara, Ps- Choraut, District- Sitamarhi

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Dinesh Jha, Advocate

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Choraut P.S. Case No- 69 of 2020 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 353, 354(B), 332, 333, 337, 338, 427, 504, 506 of the Indian Penal Code and $\frac{3}{4}$ Damage of Property Act. He has got no criminal antecedent.

3. Learned counsel for the petitioner submits that the petitioner is a member of the mob which stopped the police vehicle, attacked the police force and then used criminal force to deter police from discharging their duty. It is alleged that they committed damage to the public property.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this



case. It is submitted that there is no specific allegation of any overt act against the petitioner.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the submission that there is no specific allegation of any overt act against the petitioner, the informant does not know the petitioner and further that similarly situated co-accused persons have been granted privilege of anticipatory bail in Cr. Misc. No. 12558 of 2021 as contained in Annexure '2' and that the petitioner has otherwise no criminal antecedent, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with Choruat P.S. Case No- 69 of 2020 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 S.D.J.M., Pupri at Sitamarhi, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. 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.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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