

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49690 of 2023**

Arising Out of PS. Case No.-552 Year-2022 Thana- SHERGHATI District- Gaya

BHOLA KUMAR @ ANISH KUMAR S/O VIJNAY KR. SINGH R/O
Village- Hatiya Mohalla Sherghati, P.S- Sherghati.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivjee Singh

For the Opposite Party/s : Mr.Narendra Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

- 2 16-08-2023 1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Sherghati Police Station Case No. 552 of 2022, dated 04.07.2022, disclosing offences punishable under Sections 147/148/149/337/338/323/307/153-A/295-A/353/427 of the Indian Penal Code.
3. The prosecution case, as per the First Information Report, is that the petitioner, along with four named and 30-35 unknown persons, variously armed, attacked the passers by and damaged the vehicles, which were crossing near the Ram Janaki and Jagannath Chariot procession. It has further been alleged that the petitioner, along with others, obstructed the police personnel in maintaining the law



and order situation at the place of occurrence and created such situation, which may have led to communal violence.

4. Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has been made accused along with others merely because he is having his house from where the procession, in question, was passing. He further submits that similarly situated co-accused, Sanjay Kumar Singh, has been granted bail by a co-ordinate Bench of this Court, vide order, dated 16.12.2022, passed in Criminal Misc. No. 58905 of 2022.
5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the generality of the allegation and the fact that similarly situated co-accused has been granted anticipatory bail by this Court, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing



bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Additional Chief Judicial Magistrate, Sherghati, Gaya, in connection with Sherghati Police Station Case No. 552 of 2022, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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