

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51083 of 2023

Arising Out of PS. Case No.-179 Year-2021 Thana- NAVINAGAR District- Aurangabad

Sunil Sao @ Sunil Kumar S/O Ramchandra Sao R/O Village- Das Mohalla,
Ps. Nabinagar, Dist. Aurangabad (Bihar)

... .. Petitioner

Versus

The state of bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Aman Vishal, Advocate

For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 23-08-2023 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 Nabinagar P.S. Case No. 179/2021 registered for the offences punishable under Sections 147, 148, 149, 323, 337, 338, 307, 332, 333, 353, 427, 435, 504, 283 & 188 of the Indian Penal Code and Section 3 & 4 of the Prevention of Damage of Public Property Act, 1984. He has no criminal antecedent as stated in paragraph '3' of the application.

3. As per the prosecution story, the informant has alleged that on 05.08.2021 when he received information regarding blockade of road as one person was died after jumping in the river while police personnel were in search of the wanted accused in excise case. The informant reached at the place of occurrence where huge number of antisocial persons



(76 named including the petitioner and 300-400 unknown persons) were present and surrounded the vehicle and pelted stones on police personnel in which the informant and one ASI were sustained injuries.

4. Learned counsel for the petitioner submits that there is general and omnibus kind of allegation against 76 named and 300-400 unnamed persons, there being no specific allegation against the petitioner and similarly situated co-accused has been granted bail by learned coordinate Bench of this court in Cr. Misc. No. 68863/2021.

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

6. Having regard to the general and omnibus kind of allegation against 76 named and 300-400 unnamed persons, there being no specific allegation against the petitioner and similarly situated co-accused has been granted bail by learned coordinate Bench of this court in Cr. Misc. No. 68863/2021, this Court, therefore, directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief



Judicial Magistrate – 1st, Aurangabad (Bihar), in connection with Nabinagar P.S. Case No. 179/2021, 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.

(Rajeev Ranjan Prasad, J)

Rajeev/-

U		T	
---	--	---	--

