

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50401 of 2023

Arising Out of PS. Case No.-269 Year-2020 Thana- SAKRA District- Muzaffarpur

SWAYAM PRAKASH SON OF SHIV CHANDRA THAKUR @
SHIVSHANKAR THAKUR RESIDENT OF VILLAGE- SUNDARPUR
RATWARA, PS- PIYAR, DIST- MUZAFFARPUR

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Advocate

For the Opposite Party/s : Mr.Raj Ballabh Singh, 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 Sakra P.S. Case No.- 269 of 2020 registered for the offences punishable under Sections 115/ 147/ 149/ 186/ 283/ 285/ 341/ 323/ 353/ 307/ 504 of the Indian Penal Code. He has got no criminal antecedent.

3. Learned counsel for the petitioner submits that the petitioner is said to be a member of the protest held due to murder of a railway staff. In the protest, NH-28 was jammed and due to that the people were facing problem in travelling. Then these people started throwing fire on the vehicles which frightened the public. Thereafter, on information S.H.O. Sakra and higher officials along with local police force came and



handled the situation by using light force and persuasion.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the allegations are general, vague and omnibus in nature.

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 a general and omnibus kind of allegation against the petitioner who is said to be a member of the protest against the murder of a railway staff, further submission that there is no seizure list of any alleged damaged vehicle and that the petitioner has 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 shall be enlarged on bail in connection with Sakra P.S. Case No.- 269 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 ACJM-XII, Muzaffarpur (East), 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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