

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50760 of 2023

Arising Out of PS. Case No.-352 Year-2022 Thana- GAYA MUFASIL District- Gaya

Jitendra Beldar @ Jitendra Vind, aged about 38 Yrs, Male, S/O Late Yogendra
Vind @ Jagendra Beldar R/O Village- Lakhanpur, P.S- Mufassil, Distt.- Gaya
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 19-08-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Mufassil P.S. Case No. 352 of 2022 dated 29.05.2022, instituted for the offence punishable under Sections 147, 148, 149, 323, 324, 332, 333, 337, 353, 427 & 504 of the Indian Penal Code and 27 of the Arms Act.

3. The prosecution case, in short, is that on 29.05.2022 at about 9:55 am, the informant (SHO) has received information about an altercation between two parties and on reaching at the place of occurrence, the informant found two groups including petitioner and co-accused were fighting with rod, lathi, etc., and openly firing gun shots. Informant's team



tried to stop the fight and some of them got injured in the process.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. On perusal of F.I.R., it is apparent that there is no specific allegation against the petitioner rather it is alleged that he was one of the members of unlawful assembly. It is further submitted that F.I.R. has been lodged against 29 named accused persons and other unknown persons. It is further stated that similarly situated persons have been granted bail vide Cr. Misc. No. 42301 of 2022 order dated 28.11.2022 and Cr. Misc. No. 56031 of 2022 order dated 20.12.2022 by the another Bench of this Court. Lastly, it has been submitted that he has clean antecedents.

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

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Mufassil P.S. Case No. 352 of 2022, he will be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two



sureties of the like amount each to the satisfaction of the learned
J.M.- 1st Class, Gaya, subject to condition as laid down under
Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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