

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50568 of 2022

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

MAGANU KUMAR S/o Rajeshwar Chaudhary Resident of Village -
Basotara, P.S.- Choraut, Dist.- Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate
For the Opposite Party/s : Mr.Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-01-2023 Heard learned counsel for the petitioner and the

State.

The petitioner is apprehending arrest in connection with Choraut P.S.Case No. 69 of 2020 under sections 147, 148, 149, 341, 323, 307, 353, 354(B), 332, 337, 338, 427, 504 and 506 of the Indian Penal Code.

As per the FIR, the allegation is that when the police in course of investigation of Choraut P.S. Case No. 661 of 2020 raided the house of accused Akhilesh Rai, 150 unknown accused persons surrounded the informant and the raiding team and tried to take back the L.T.I. and register and in the process, the allegation is of misbehaving with the police officials as also assault.

Learned counsel for the petitioner submits that it was



their case being Choraut P.S. Case No. 66 of 2020 in which the police had gone for the investigation and further there is omnibus allegation against all of them and lastly some of the accused persons have since been granted the same relief which has been annexed as Annexure-2 series to the present petition.

The learned APP opposes the prayer but concedes that similar situate persons have since been granted relief.

Taking into account the aforesaid fact that omnibus allegation is against the petitioner, other have been extended relief and he do not have any criminal antecedent, this Court is inclined to grant him relief.

Let the petitioner be released on bail, in the event of his arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned S.D.J.M., Pupri, Sitamarhi, in connection with Choraut P.S. Case No. 69 of 2020 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

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