

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 54714 of 2023

Arising Out of PS. Case No.-849 Year-2022 Thana- ALAMGANJ District- Patna

Prabhat Yadav@ Prabhat Kumar Son Of Ram Baboo Yadav Resident Of
Village - Sakari Gali, Gwal Toli, F.N.S. Academy, Sampatchak, Ps- Alamganj,
Dist- Patna. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rohit Singh, Adv.

For the Opposite Party/s : Mr. Ajay Kumar No.2, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-08-2023 Heard learned Counsel for the petitioners and learned
APP for the State.

2. The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 188, 341, 323, 332, 353, 504 of the Indian Penal Code and 25(I-b)a/26/27/35 of the Arms Act.

3. As per the prosecution, the FIR has been lodged against 2 named accused persons and 70-80 unknown accused persons. It has been alleged in the FIR that on the *pooja* of *Maa Katayanani* a public gathering for *Murti Visarjan* was present. In the meantime, one person started firing in the air, who was caught by the police but the gathered public started protesting, due to which the person caught by the police fled away from the place of occurrence. The police received secret information that the person who fled is the accused no.1 in the FIR and the

petitioner's name has been figured only due to the reason that he was the president of Sri *Maa Katayani Pooja Samiti*.

4. Learned counsel for the petitioner submits that petitioner is innocent and having cleaning antecedent. He further submits that a general and omnibus allegation has been made against the petitioner and other 70-80 persons that they forcefully created a situation due to which the person in custody of the police fled away. On this ground the police lodged an FIR. Counsel for the petitioner submits that petitioner is a law abiding citizen and he is aged about 43 years and he never got involved in such kind of activities. He also submits that no arms were recovered from the possession of the petitioner.

5. Learned APP for the State opposes the prayer for bail.

6. In the present facts and circumstances, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of 6 weeks from today, on furnishing bail bond of Rs. 30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate-I, Patna City in connection with Alamganj P. S. Case No.849 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Ashishsingh/-

(Dr. Anshuman, J.)

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