

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53542 of 2023

Arising Out of PS. Case No.-606 Year-2022 Thana- LAHERIMUHALLA District- Nalanda

Subham Kumar Son Of Gopal Tamoli @ Dhananjay Kumar Resident Of
Mohalla - Devisarai, P.S. - Deepnagar, District - Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Chandra, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

02. In the present case, the petitioner is apprehending his arrest in connection with Laheri P.S. Case No. 606 of 2022, registered on 24.11.2022, for the alleged offence under Sections 147, 148, 149, 341, 323, 353, 307, 427, 120(B) of the Indian Penal Code and Section 27 of the Arms Act.

03. As per prosecution case, the allegation against the petitioner is that he was part of the mob of 50-60 persons, which resorted to firing and anarchy in the bus stand.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Specific allegation is against co-accused Sishupal Kumar, who took out a pistol from his waist and started firing on the



mob. The occurrence took place due to dispute over stoppage of buses of two companies. The petitioner has no concern with the said dispute. The petitioner has been identified on the basis of CCTV footage while he was going to purchase some stationery, as he is a student of BA Part-II and no illegal activity was done by the petitioner. The petitioner has got no criminal antecedent.

05. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the probability of false accusation, let the petitioner, above named, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif/concerned court in connection with Laheri P.S. Case No. 606 of 2022, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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