

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47946 of 2023

Arising Out of PS. Case No.-214 Year-2023 Thana- LAHERIMUHALLA District- Nalanda

1. MD. BHOLU Son of Md. Mozib Alam @ Mojum Alam Resident of village - Gagan Diwan, P.s. - Laheri, Distt. - Nalanda
2. Md. Sadam Son of Md. Mozib Alam @ Mojum Alam Resident of village - Gagan Diwan, P.s. - Laheri, Distt. - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 55427 of 2023

Arising Out of PS. Case No.-214 Year-2023 Thana- LAHERIMUHALLA District- Nalanda

VIKKI SINGH HINDU @ VIVEK KUMAR Son of Sri Anil Kumar Resident of Sohsarai Aasha Nagar, P.s. - Sohsarai, Distt. - Nalanda

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 47946 of 2023)

For the Petitioner/s : Mr. Raj Kishor Prasad

For the Opposite Party/s : Mr. Narsingh Tanti

(In CRIMINAL MISCELLANEOUS No. 55427 of 2023)

For the Petitioner/s : Mr. Krishna Kumar Singh

For the Opposite Party/s : Mr. Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 20-09-2023 As both these bail applications have cropped up from the same police station case number, hence, with consent of parties, they are being heard together and disposed of by his common order.

2. Heard learned counsel for the petitioners and



learned A.P.P. for the State.

3. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 324, 325, 307, 337, 338, 332, 333, 353, 504, 506, 153A, 295, 379, 380, 435, 436, 427, 109, 120B of the Indian Penal Code and Section 27 of the Arms Act.

4. The F.I.R. is stated to have been lodged against 79 named and 500 unknown accused persons alleging therein that they all tried to disturb the communal harmony during the Ramnavmi procession by raising provocative slogans, pelting stones, resorting to firing as also had damaged public property apart from creating hindrance in discharge of duties by the police force.

5. Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. He submits that general and omnibus allegation has been levelled against the petitioners and the fact is that the petitioners have not engaged in any sort of specific overt act, much less pelting any stone on the police force. Similarly situated co-accused have been enlarged on bail by a co-ordinate bench of this court vide order dated 11.08.2023 passed in Cr. Misc. No. 48677 of 2023 and vide order dated 23.08.2023



passed in Cr. Misc. No. 53962 of 2023. Petitioner of Cr. Misc. No. 47946 of 2023 has no criminal antecedent and petitioner of Cr. Misc. No. 55427 of 2023 has four criminal antecedents as mentioned in para-3 of this application.

6. Learned APP for the State opposes prayer for anticipatory bail.

7. Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Laheri P.S. Case No.214 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

anand/-

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