

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58777 of 2023

Arising Out of PS. Case No.-875 Year-2022 Thana- SUPAUL District- Supaul

Subhash Kumar @ Subhash Yadav Son Of Sitaram Yadav Resident Of Village
- Hardi West (WARD No.02), Tola - Vishnupur, P.S. - Supaul, District -
Supaul

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 20-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Supaul P.S. Case No. 875 of 2022 dated 15.09.2022, instituted
for the offence punishable under Sections 147, 148, 149, 341,
342, 323, 354, 353, 427 of the Indian Penal Code.

3. The prosecution case, in short, is that, in course of
patrolling, the police received an information that the local
people, on suspicion, apprehended a woman on the allegation of
child theft. It is further alleged that when the police reached at
the place of occurrence, they found that villagers were
apprehending the woman and when the police tried to pacify the
matter, the crowd got infuriated and assaulted the police



personnel, due to which two of the police personnel sustained injury. The local Chaukidar identified eight accused persons, who were found to be involved in the said occurrence.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that from perusal of the F.I.R., it is evident that there was a crowd of 300 to 400 persons out of which 8 persons have been identified by local Chaukidar. It is further submitted that as per the F.I.R. there is general and omnibus allegation against the petitioner and there is no any specific overt act against the petitioner. Learned counsel further submits that one co-accused, namely, Suraj Yadav has already been granted bail by a Co-ordinate Bench of this Court *vide order dated 30.08.2023 passed in Criminal Miscellaneous No. 56820 of 2023* Lastly, it has been submitted that the petitioner has no criminal 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 Supaul P.S. Case No.



875 of 2022, he shall 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 Chief Judicial Magistrate, Supaul, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

Sankalp/-

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