

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57711 of 2023

Arising Out of PS. Case No.-493 Year-2022 Thana- KRITYANAND NAGAR District-
Purnia

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Md Seraj @ Siraj, S/O Late Khalil, R/O Village- Kadgama, Ps. K. Nagar (O.P Shrinagar), Dist. Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Prawesh Kumar, Advocate
For the Opposite Party/s : Mr.Upendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-09-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with K. Nagar (O.P. Shrinagar) P.S. Case No. 493 of 2022 registered for the alleged offences under Sections 147, 149, 341, 342, 353, 332, 224, 504 and 506 of the Indian Penal Code.

3. As per prosecution case, when the police was trying to recover the stolen motorcycle from the house of the co-accused Md. Mofil, the petitioner and a large mob assembled at the spot and they obstructed the police force from doing its duty and further they freed co-accused Gidri Mishra and Md. Mofil from the custody of the police.



4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case and the allegations are general and omnibus. No overt act has been attributed to the petitioner. The prosecution story is not believable as none of the police personnel received any injury, though it has been stated that a mob of 100-125 obstructed the work of police. That apart, large number of co-accused persons have been released on anticipatory bail by different Co-ordinate Bench of this Court vide order dated 28.04.2023 passed in Cr. Misc. No.70073 of 2022 and order dated 12.05.2023 passed in Cr. Misc. No.9249 of 2023.

5. Learned APP opposes the prayer for anticipatory bail made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the grant of anticipatory bail to large number of co-accused persons and further considering the clean antecedent of the petitioner, 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/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief



Judicial Judicial Magistrate, Purnea/court concerned,, in
connection with K. Nagar (Sringar) P.S. Case No. 493 of 2022,
subject to the conditions mentioned in Section 438(2) of the
Cr.P.C. and the 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)

V.K.Pandey/-

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