

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61685 of 2023

Arising Out of PS. Case No.-277 Year-2022 Thana- GAURICHAK District- Patna

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Anand Kumar S/O- Om Prakash Singh R/O- Village- Lakhipur Koli,
Fatehpur, P.S.- Gaurichak, Dist.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dheeraj Kumar, Adv.

For the Opposite Party/s : Mr.Ashok Kumar Singh, Adv.

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 13-12-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Gaurichak P.S. Case No. 277 of 2022 dated 08.05.2022,
instituted under Sections 147,148,149,341,323,504,353,332,333,
338, 307,354, 427 and 337 of the Indian Penal Code.

3. As per FIR, due to death of the rickshaw
puller/Jitendra Kumar, scuffle between the residents of two
villages took place on the date of occurrence and when police
arrived there to maintain peace, the accused persons named in
the FIR, including the petitioner attacked the police party and
damaged the police vehicle.

4. The learned counsel for the petitioner submits that
there is no specific allegation against the petitioner. The



allegations are general and omnibus in nature. It is next submitted that FIR has been lodged against 32 accused persons, including the petitioner. Lastly, it is submitted that similarly situated co-accused persons have been privileged with anticipatory bail by a Co-ordinate Bench of this Court vide orders dated 18-05-2023 and 04-08-2023 passed in Cr. Misc. Nos 64244 of 2022 and 46289 of 2023 respectively. There is no criminal antecedent against the petitioner.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on 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 ACJM-VI, Patna City in connection with Gaurichak P.S. Case No. 277 of 2022, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

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