

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60083 of 2023

Arising Out of PS. Case No.-155 Year-2020 Thana- SONEPUR District- Saran

SANTOSH CHAUDHARI @ SANTOSH KUMAR CHAUDHARI S/O
GANGA CHAUDHARI R/O VILLAGE- ANANDPUR, PS. SONEPUR,
DIST.- SARAN AT CHAPRA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Krishna Kumar Yadav, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 11-10-2023 1. Heard learned counsel for the Petitioner and
learned APP for the State.

2. Petitioner apprehends his arrest in connection with
Sonepur P.S. Case No. 155 of 2020 dated 20.02.2020 registered
for the offences punishable under Sections 147, 149, 332, 333,
353, 448, 427, 342, 323, 504 and 506 of the Indian Penal Code
and later on Sections 3/4 of the Public Property Destruction Act
was added.

3. The main submissions advanced by learned counsel
for the petitioner are that as per FIR, the alleged occurrence was
committed by a mob consisting of more than 90 persons, out of
them 22 persons including the petitioner have been named in the
FIR but there is no specific allegation of overt act against the



petitioner and he has fair and clean antecedent and an accident in between a Bullet Motorcycle and a Cart is stated to be the genesis of the occurrence and the alleged occurrence was not pre-planned.

4. Learned APP appearing for the State has opposed the prayer for bail of the petitioner.

5. Considering the above submissions and mainly petitioner's fair and clean antecedent and the nature of allegation appearing against him, this Court is inclined to accept his prayer for anticipatory bail. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Sonapur P.S. Case No. 155 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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