

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62925 of 2023

Arising Out of PS. Case No.-849 Year-2022 Thana- ALAMGANJ District- Patna

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Amar Kumar @ Aman Kumar Son Of Surendra Prasad Village- Nuranibag
Colony -5 Ps- Alamganj, Dist- Patna (Bihar)

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 16-10-2023 Heard Mr. Subodh Kumar, learned counsel appearing

on behalf of the petitioner and learned Additional Public

Prosecutor for the State.

2. The petitioner apprehends his arrest in connection
with Alamganj P.S. Case No. 849 of 2022, registered for the
offences punishable under Section 147, 148, 149, 188, 341, 323,
332, 353, 504 of the Indian Penal Code and under Sections
25(1-B) A/26 /27/35 of the Arms Act.

3. Allegedly on the occasion of immersion of idol of
goddess Kali, the member of procession made celebratory
firing.

4. It is submitted on behalf of the petitioner that the



F.I.R. has been instituted against two named accused persons and 70-80 unknown persons. From the F.I.R., it appears that a general and omnibus allegation has been levelled against the persons, who have participated in the procession. He submitted that only because he being of member of the procession party, his name has been implicated in this case at the instance of the local people without assigning any specific role, that too in course of investigation. Other co-accused persons having identical allegations have been allowed the privilege of anticipatory bail by the learned Co-ordinate Benches of this Court, the copies of which have been placed before this Court and the same has been taken on record.

5. On the other hand, learned counsel for the State opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the omnibus nature of allegation and the fact that the petitioner is not named in the F.I.R., coupled with his fair antecedent, let the petitioner abovenamed be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, 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-IV, Patna City in connection with Alamganj P.S. Case
No. 849 of 2022, subject to the conditions laid down in Section
438(2) Cr.P.C. with the further condition that one of the bailors
shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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