

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.57498 of 2022**

Arising Out of PS. Case No.-753 Year-2021 Thana- BHAGALPUR KOTWALI District-  
Bhagalpur

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Vikky Paswan @ Vikky Kumar @ Vicky Paswan @ Vicky Kumar Son of  
Vijay Paswan Resident of Village - Jawaripur, P.S. - Tilakamanjhi O.P.,  
District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Pankaj Kumar, Advocate

For the Opposite Party/s : Mr.Tapeshwar Sharma, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

2      24-01-2023                      Heard learned counsel for the petitioner and the  
  
learned APP for the State.

The petitioner apprehends his arrest in connection  
with Kotwali (Barari) P.S. Case No.753 of 2021 instituted under  
Sections 147,148,149,323,307,353,332,337 of the Indian Penal  
Code read with Sections 27 of the Arms Act.

As per the prosecution story, during immersion of  
Goddess 'Kali' the police alleged that the accused persons  
headed by Sanjay Chaudhary resorted to indiscriminate firing,  
thus creating tension between two communities. This happened  
despite the change of route by the police. Accordingly, the FIR  
was lodged.

Learned counsel for the petitioner submits that the  
main allegation is against Sanjay Chaudhary and they have been



made part of the mob. Further submission is that the petitioner do not have criminal antecedent and similar situate co-accused have been granted the privilege of anticipatory bail by co-ordinate Bench of this Court.

Let the same be kept on record.

Taking into account the aforesaid fact that he do not have criminal antecedent and name has come in the F.I.R. as part of the mob and specific allegation is against Sanjay Choudhary, this Court is inclined to grant him privilege of anticipatory bail.

Let the petitioner be released on bail, in the event of his arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Kotwali (Barari) P.S. Case No.753 of 2021 to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Rajiv Roy, J)**

Prakash Narayan /-

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