

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68632 of 2023

Arising Out of PS. Case No.-573 Year-2021 Thana- MOTIHARI MUFASIL District- East
Champaran

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Himanshu Kumar @ Rahul Kumar Son Of Pappu Sah @ Raj Kumar Prasad
Resident Of Village- Basmanpur, Ps- Muffasil Motihari District- East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar No.III, Advocate

For the Opposite Party/s : Ms.Pronoti Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 01-11-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Muffasil P.S. Case No.573 of 2021 registered for the offences punishable under Sections 147, 148, 149, 188, 341, 323, 307, 332, 333, 427 and 504 of the Indian Penal Code. The petitioner has got no criminal antecedent.

3. As per the prosecution story, the allegation against the petitioner is that he was guiding the other persons in the mob who were involved in assaulting the police personnel.

4. Learned counsel for the petitioner submits that the petitioner has not been found involved in commission of any overt act. Learned counsel submits that the allegations are made



against 52 persons who have been identified and 150 unknown persons and this petitioner has been implicated in this case on a vague allegation that he was guiding the other persons in the mob. It is submitted that the petitioner has otherwise no criminal antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the submission that the petitioner has not been found involved in commission of any overt act, the allegations are made against 52 persons who have been identified and 150 unknown persons and this petitioner has been implicated in this case on a vague allegation that he was guiding the other persons in the mob, the petitioner has otherwise no criminal antecedent, this Court directs that in case of his arrest/surrender within a period of six weeks from today, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran in connection with Muffasil P.S. Case No. 573 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall



verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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