

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.66354 of 2023**

Arising Out of PS. Case No.-352 Year-2022 Thana- GAYA MUFASIL District- Gaya

Navin Singh @ Navin Kumar Singh S/O Satyendra Singh @ Batohi Singh  
R/O Village- Rasalpur, Ps. Gaya Mufassil, Dist. Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Krishn Nandan Prasad Arya, Advocate  
For the Opposite Party/s : Mr.Raj Ballabh Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      01-11-2023                      Heard learned counsel for the petitioner as well as  
learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Gaya Mufassil P.S. Case No.352 of 2022 , F.I.R. dated 29.05.2022 registered for the offence punishable under Sections 147, 148, 149, 323, 324, 332, 333, 337, 353, 307, 427, 504 of the IPC and Section 27 of the Arms Act.

3. According to the F.I.R., it is transpired that the petitioner along with other co-accused persons belongs to the village Rasalpur and Lakhanpur. Both villages were armed with the lathi, danda, rod, fatta etc. assaulting on each other and both the villages were throwing the stones and firing and it was very difficult for the police force to control the situation. It is alleged that some of the villagers were tried to snatch the rifle of the police personnel.



4. Learned counsel for the petitioner submits that petitioner has clean antecedent. He has falsely been implicated in the present case. He further submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. Further submits that from perusal of the FIR it appears that there is no accusation of any assault or overt act is attributed against the petitioner, rather there is general and omnibus allegation against all the accused persons including the petitioner. He further submits that similar situate persons have been granted anticipatory bail by co-ordinate bench of this Court vide Cr. Misc. No.42301 of 2022 dated 28.11.2022, Cr. Misc. No.56031 of 2022 dated 20.12.2022, Cr. Misc. No.11932 of 2023 dated 27.04.2023, Cr. Misc. No.50760 of 2023 dated 19.08.2023 and Cr. Misc. No.53010 of 2023 dated 19.08.2023.

5. Learned APP for the State, on the other hand vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid fact that petitioner has clean antecedent, no accusation of any assault or overt act is attributed against the petitioner and other similar situate persons have been granted anticipatory bail, let the petitioner, above



named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Gaya in connection with Gaya Mufassil P.S. Case No.352 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the Court below.

(ii) If the petitioner tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of anticipatory bail.

(iii) 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 antecedents, the court below shall take step for cancellation of anticipatory 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.

**(Rajesh Kumar Verma, J)**

Prakash Narayan

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