

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67032 of 2023

Arising Out of PS. Case No.-301 Year-2023 Thana- BIHAR District- Nalanda

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KUNDAN KUMAR @ MOHIT KUMAR Son of Rameshwar Mahto @
Rameshwar Prasad Resident of Alinagar, Police Station-Bihar, District-
Nalanda. Petitioner/s

Versus

THE STATE OF BIHAR Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kumar Singh, Advocate
For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Bihar P.S. Case no. 301 of 2023 registered under section 307 and other sections of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, it is stated by the informant that on the date of occurrence in the Shobha Yatra which was being lead by the three named persons including the petitioner herein, some unsocial elements joined the said Yatra and as a result of indecent and inappropriate comments made by them, there was disturbance and tension between the parties leading to throwing of stones. People started to run here and there. Slogans were being raised and the police vehicles were also targeted. It is further stated that in the CCTV footage the 88 named persons were identified and the FIR registered against



them and hundreds others.

4. It is submitted by learned Senior counsel appearing for the petitioner that the petitioner has been falsely implicated in the case. The allegations are general and omnibus in nature. While similarly situated coaccused Dhiraj Kumar has been enlarged on anticipatory bail vide order dated 30.8.2023 passed in Cr.Misc. no. 51852 of 2023, the petitioner is in custody since 2.6.2023 and chargesheet has been submitted in the case.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation against the petitioner in the FIR, grant of bail to the above named coaccused, the petitioner having remained in custody since 2.6.2023 and chargesheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Bihar P.S. Case no. 301 of 2023 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda, Bihar Sharif.

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(Partha Sarthy, J)

