

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71131 of 2022

Arising Out of PS. Case No.-257 Year-2021 Thana- PARAIYA District- Gaya

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SHUBHAM KUMAR @ MANMIT KUMAR Son of Manoj Kumar Singh
R/V- Parsawan Post- Dharmshala, P.S- Paraiya, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Pratap Singh, Advocate
For the Opposite Party/s : Mr. Anant Kumar 1, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 29-04-2023 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

The accused/petitioner is named in F.I.R. and

apprehending his arrest in connection with Paraiya P.S. Case

No. 257/2021 registered for the offences punishable under

Sections 147, 148, 149, 341, 323, 307, 353 and 332 of the

Indian Penal Code.

The allegation against this petitioner is to attack on

police force and also of pelting stones on government vehicles



on the occasion of Panchayat Election 2021, near election booth of Paraiya Block. It is further alleged thereof that altogether 40-50 persons were involved in the alleged occurrence.

Learned counsel appearing on behalf of the petitioner submitted that allegation, as per face of F.I.R., appears very much general and omnibus against this petitioner, where no specific act attributed to him. It is submitted that similarly situated co-accused persons have already been granted bail by one of the learned co-ordinate Bench of this Court through Cr. Misc. No. 20104 of 2022 vide order dated 23.06.2022. It is also pointed out that allegation appears improbable that no injury is appearing to be reported during the occurrence, where it is alleged that 40-50 unknown persons were involved in pelting of stones.

Learned APP opposes the prayer of bail.

Considering the aforesaid facts and circumstances as allegation against petitioner is appearing very much general and omnibus without attributing any specific overt act, accordingly, the above named petitioner, in the event of his arrest or surrender before the court below, within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the



like amount each to the satisfaction of the learned Judicial Magistrate, 1st, Class, Gaya/concerned Court, where the case is pending in connection with Paraiya P.S. Case No. 257 of 2021, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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