

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68503 of 2023

Arising Out of PS. Case No.-275 Year-2023 Thana- SASARAM NAGAR District- Rohtas

Krishna Chaudhary @ Krishna Kumar Chaudhary Son Of Jiut Chaudhary
Resident Of Mohalla Safullahganj Ps Sasaram (DARIGAON), District Rohtas

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sudama Singh, Advocate
For the State : Mr. Satyendra Prasad, APP

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 Sasaram (T) P.S. Case No. 275 of 2023 registered for the offences punishable under Sections 147, 148, 149, 188, 153-A, 341, 342, 323, 337, 338, 353, 307, 427, 435, 436, 504, 505 and 506 of the Indian Penal Code and Section 27 of the Arms Act in which Section 302 IPC was added later on. He has got no criminal antecedent.

3. Learned counsel for the petitioner submits that the present FIR has been lodged against named and 650 unknown persons against the two communities on the allegation that they indulged in communal violence. The petitioner is not named in the FIR.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegations are general and omnibus in nature and the case of the petitioner stands at similar footing that of the co-accused, namely, Mukesh Kumar Pandey who has been granted privilege of anticipatory bail in Cr. Misc. No. 49851 of 2023.

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

6. Having regard to the facts and circumstances of the case and the uncontroverted submission of learned counsel for the petitioner that the petitioner is not named in the FIR, the allegations are general and omnibus against the named and hundred unknown persons who had allegedly participated in the alleged occurrence and then again the uncontroverted submission that the case of the petitioner stands at similar footing with the co-accused, namely, Mukesh Kumar Pandey who has been granted privilege of anticipatory bail in Cr. Misc. No. 49851 of 2023, this Court directs that in case of his arrest or surrender within a period of six weeks from today, the petitioner above named be released on bail in connection with Sasaram (T) P.S. Case No. 275 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of



the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram 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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