

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75772 of 2023

Arising Out of PS. Case No.-47 Year-2023 Thana- EKMA District- Saran

Raju Rudra Yadav @ Dharmendra Rai S/O Rajendra Rai R/O Village-
Narpaliya Bazar, P.S- Manjhi, Distt.- Saran At Chhapra.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 13-12-2023 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any,
within a period of three weeks from today.

2. Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in
connection with Ekma P.S Case No. 47 of 2023 dated
06.02.2023 registered for the offence punishable u/s 147,
148, 149, 113, 188, 193, 504, 506, 302, 120B read with 34
of the Indian Penal Code and Section 67B(ii) of the I.T. Act.

4. As per the prosecution case, the petitioner along
with 40-50 unknown persons were unlawfully assembled



near Ekma Block and were trying to create nuisance in the society.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. It is further submitted that there is general and omnibus allegation against the petitioner. Learned counsel further submitted that from bare perusal of the F.I.R., it would appear that the co-accused namely Hare Ram Yadav was apprehended by police who disclosed the name of the petitioner. It is further submitted that petitioner was not a member of unlawful assembly and did not deliver speech. The co-accused person has already been granted anticipatory bail by Co-ordinate Bench of this Court vide order dated 23.08.2023 passed in Cr. Misc No. 50496 of 2023. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

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

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six



weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Saran at Chhapra in connection with Ekma P.S Case No. 47 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Nilmani/-

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