

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71251 of 2022**

Arising Out of PS. Case No.-348 Year-2018 Thana- GORAUL District- Vaishali

Rakesh Kumar Son Of Bishwanath Rai @ Vishwanath Ray R/V- Dullahpur,
P.S- Goraul, Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravish Mishra, Advocate

For the Opposite Party/s : Mr. Bharat Lal, APP

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.

The accused/petitioner is named in the F.I.R. and apprehended his arrest in connection with Goraul (Kathara O.P.) P.S. Case No.348 of 2018 registered for the offences punishable under Sections 147, 149, 283 and 353 of the Indian Penal Code.

The allegation against the petitioner is to disturb the traffic movement of Muzaffarpur-Mahua road, alongwith other named co-accused persons and 50-60 unknown accused persons while lodging protest against recovery of truck loaded with animals. It is alleged thereof that petitioner and co-accused were



the workers of *Vishwa Hindu Parishad* (VHP).

Learned counsel appearing on behalf of the petitioner submitted that allegation against the petitioner is very much general and omnibus without attributing any specific overt act against this petitioner. It is pointed out that merely for the reason being resident of nearby locality, he is implicated in the present case. It is submitted that similarly situated co-accused have already been granted bail by one the learned Co-ordinate Bench of this Court through Cr. Misc. No.47029 of 2021 vide order dated 29.04.2022. While concluding the argument it is submitted that petitioner is a man of clean antecedent.

Learned APP appearing on behalf of the State, opposes the prayer for bail.

In view of the facts and circumstances as mentioned above as allegation against this petitioner is very much general omnibus without specifying any overt act accordingly, the petitioner above named, in the event of his arrest or surrender before the Court below within a period of four weeks, 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 Chief Judicial Magistrate, Vaishali, Hajipur/concerned Court below where the case is



pending in connection with Goraul (Kathara O.P.) P.S. Case
No.348 of 2018 subject to the conditions as laid down under
Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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