

Arising Out of PS. Case No.-297 Year-2023 Thana- MIRGANJ District- Gopalganj

- ... .. Petitioner/s

## THE STATE OF BIHAR

... .. Opposite Party/s

For the Petitioner/s : Mr. Akshay Ashish  
For the Opposite Party/s : Mr. Uday Chand Prasad

## ORAL ORDER

2. The petitioners seek bail in connection with P.S. Case No.297 of 2023 registered for the offence sections 147, 148, 149, 341, 323, 332, 307, 353, 337, 395(a), 427 and 298 of the Indian Penal Code and 6(D) of the I.T. Act.

3. The allegation against the petitioners is to have spoiled the communal harmony in the wake of Instagram video with slogan along with other co-accused persons.

4. Learned counsel appearing on behalf of the petitioners submitted that petitioners have falsely been



implicated in the present case on the basis of suspicion, where, there is no any specific allegation against the petitioners. He has submitted that petitioners have clean antecedent and they are in custody since 03.08.2023. He has further submitted that similarly situated co-accused persons have already been granted bail by a co-ordinate Bench of this Court vide order dated 24.11.2023 passed in Cr. Misc. No. 73503 of 2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioners.

6. Considering the facts and circumstances and similarly situated co-accused persons have already been granted bail by a co-ordinate Bench of this Court, let both these petitioners, above named, are directed to be released on bail in connection with Mirganj P.S. Case No.297 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Gopalganj subject to the following conditions:

(i) one of the bailor should be the family member of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners shall appear on each



and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for six months to mark their attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

**(Ramesh Chand Malviya, J)**

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