

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76452 of 2023

Arising Out of PS. Case No.-109 Year-2023 Thana- BUNIYAD GANJ District- Gaya

1. CHAND BABU Son of Late Sudama Chaudhary R/o vill - Alipur, P.S. - Buniyadganj, Distt. - Gaya
2. Pankaj Chaudhary Son of Bhola Chaudhary R/o vill - Alipur, P.S. - Buniyadganj, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priya Ranjan, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 12-12-2023 Learned counsel for the petitioners 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 petitioners and learned Additional Public Prosecutor for the State.

3. The petitioners are apprehending their arrest in connection with Buniyadganj P.S Case No. 109 of 2023 dated 28.03.2023 registered for the offence punishable u/ss 147, 148, 149, 153A, 323, 325, 307, 337, 427, 504, 353 of the Indian Penal Code.

4. As per the prosecution case, people from two



different communities were holding bricks and sticks. They were shouting slogans, due to which communal tension and riots occurred which disturbed the law and order.

5. Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. It is further submitted that petitioners have nothing to do with the said occurrence and have only been implicated in the present case on the basis of disclosure made by chowkidar. Learned counsel has further submitted that there is no specific allegation against the petitioners rather there is general and omnibus allegation against the accused persons including the petitioners. The petitioner no.2 has one whereas petitioner no.1 has one criminal antecedent as stated in para 3 of the bail petition.

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

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their 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) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Gaya in connection with Buniyadganj P.S Case No. 109 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

8. This application stands allowed.

(Chandra Prakash Singh, J)

Nilmani/-

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