

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73727 of 2022

Arising Out of PS. Case No.-150 Year-2022 Thana- UJIYARPUR District- Samastipur

Vivek Malakar @ Vivek Kumar Malakar, Son of Late Jayprakash Bhagat,
R/v- Baikunthpur, P.S.- Ujijarpur Barhanda, District- Samastipur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ajay Kumar, Advocate

For the Opposite Party : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 29-04-2023 Heard Mr. Ajay Kumar, learned counsel appearing on
behalf of the petitioner and the learned APP for the State.

The petitioner is apprehending his arrest in connection with Ujijarpur P.S. Case No. 150 of 2022 registered for the offences under Sections 147, 148, 149, 341, 342, 323, 332, 333, 337, 338, 353, 427 and 504 of the Indian Penal Code.

It is alleged that on account of murder of one businessman, 13 named and 50-60 unknown persons blocked the road and started raising slogan against the police administration and further attacked on the police party by throwing brick-bats, as a result of which several police personnel sustained injuries.

Submission has been made on behalf of the petitioner that there is no specific allegation against any of the accused persons, rather omnibus allegation has been levelled against all



the accused persons, including the petitioner. He next submits that the co-accused persons, having identical allegation, have been allowed the privilege of anticipatory bail by learned coordinate Bench of this Court in Cr. Misc. No. 72162 of 2022 vide order dated 17.03.2023.

On the other hand, learned APP for the State opposes the bail application.

Regard being had to the submissions made on behalf of the parties and considering the general and omnibus nature of allegation, coupled with the fact that other co-accused persons have been allowed the privilege of anticipatory bail, let the petitioner, named above, in the event of his arrest or surrender before the learned court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Samastipur in connection with Ujiyarpur P.S. Case No. 150 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Harish Kumar, J)

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