

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76743 of 2023

Arising Out of PS. Case No.-325 Year-2023 Thana- BARACHATTI District- Gaya

Samsad Khan (M), aged about 54 years, Son of Md. Raqeeb Khan, R/o vill -
Bhadeya, P.S. - Barachatti, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan, Advocate
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Barachatti PS Case No. 325 of 2023 dated 01.04.2023, instituted
under Sections 147, 148, 149, 323, 341, 342, 353, 153A, 295,
298, 307, 504, 506 of the Indian Penal Code.

3. The petitioner is said to have parked his Thar
vehicle in front of procession of Ramnavmi and also making
demand of root licence of the procession due to which scuffle
started between two communities.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated. It is
submitted that name of the petitioner has been mentioned in the
FIR only on the basis of disclosure made by the local



Chowkidar. It is submitted that there is no specific allegation against the petitioner. The FIR has been lodged against 12 named person and fifty to sixty unknown person. It is submitted that persons named at accused nos. 01, 10, 12, have been granted bail by the Sessions Judge, Gaya. It is submitted that petitioners have no criminal antecedent.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, Sherghati, Gaya, in connection with Barachatti PS Case No.325 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

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