

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80452 of 2023

Arising Out of PS. Case No.-258 Year-2022 Thana- PAHARPUR District- East Champaran

Sanmu Miya @ Sonu Alam @ Sanmu Son Of Mustafa Miya @ Md. Mustfa
R/O Village- Bawariya Kritpur, P.S.- Paharpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhurendra Kumar

For the Opposite Party/s : Mr. Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in Paharpur P.S. Case No. 258 of 2022 registered for the offences punishable under Sections 147, 148, 149, 153, 188, 341, 323, 353, 295, 504, 506, 120(B), 332, 333 of the Indian Penal Code pending in the Court of learned Additional Chief Judicial Magistrate-XI, East Champaran, Motihari.

3. As per the prosecution case, the petitioner along with other co-accused persons, holding weapons in their hand, were rioting by spreading false rumours and they also tried to hurt the religious sentiment of another community and when



the informant along with police forces went to keep control over the rioters, they also assaulted the police officials and damaged the property of nearby persons.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that F.I.R. is registered against 49 named and 15-20 unknown and although the name of the petitioner appeared at Serial No. 13 in the accused but there is no specific allegation against the petitioner. The petitioner has one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State vehemently opposing the bail petition submitted that the petitioner is also involved in the present case.

6. Considering the facts and circumstances of case and the nature of the offence, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. Hence, he does not deserve privilege of anticipatory bail.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek



regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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