

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13139 of 2024

Arising Out of PS. Case No.-275 Year-2023 Thana- MEHSI District- East Champaran

SUSHANT RAJ @ SUSHANT KUMAR S/O SANJAY SAH R/O
VILLAGE- MEHASI CHOWK BAZAR, P.S- MEHASI, DISTT.- EAST
CHAMPARAN, MOTIHARI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar , Advocate

For the Opposite Party/s : Mr. Ajit Kumar , APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 12-03-2024 Heard learned counsel for the petitioner and the
State.

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 147, 148 , 149, 188 , 341 ,
153(A) , 295 A , 323 , 307, 332, 353 , 427, 504 and 506 of the
Indian Penal Code.

3. As per the prosecution case, 25 named and 250-300
unknown miscreants threw bricks and pelted stone chips on the
members of a religious procession. It is further alleged that the
informant and other police personnel who were deputed for
maintaining law and order during that religious procession tried
to pacify the mob, however, they were also assaulted by them
and sustained injuries.



4. Learned counsel for the petitioner submits that he has falsely been implicated in the present case. The petitioner has not committed any such offence as alleged in the FIR. Although, the petitioner is named in the FIR, but upon perusal of the FIR, it appears that there is no specific allegation of any assault or overt act attributed against the petitioner, rather there is general and omnibus allegations against all the co-accused persons including the petitioner. Similarly situated co-accused persons namely, *Gopal Sahani* and others have already been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 18.01.2024 passed in Cr. Misc. No. 83459 of 2023. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the general and omnibus allegation against this petitioner and other circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Motihari East Champaran in connection with Mehashi P.S. case No. 275 of 2023 , subject to the conditions laid down under



section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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