

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22918 of 2024

Arising Out of PS. Case No.-681 Year-2023 Thana- MANER District- Patna

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Ramesh Rai Son of Ram Shankar Rai @ Rama Shankar Singh Resident of
Village - Sherpur, P.S.- Maner, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Adv.

For the Opposite Party/s : Mr.Damodar Prasad Tiwary, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 23-08-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case in connection with Maner P.S. Case No. 681 of 2023 dated 17.09.2023 registered for the offences punishable u/ss 341, 323, 337, 338, 353, 504, 506 read with Section 34 of the Indian Penal Code and u/s 37 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, when police reached near the house of the co-accused, Ramashankar Rai then the co-accused, Munna Rai and the petitioner Ramesh Rai stopped the police personnel and abused them. It is further alleged that when the police personnel tried to nab the other accused persons who were not on bail then the accused persons abused and



assaulted the police personnel. Thereafter, the accused persons, Munna Rai and Vishal Kumar were caught by police who were also found under the influence of liquor. In the meantime, two females started pelting stones and bricks on the police personnel due to which they got injured. One of the accused persons Vishal Kumar was also caught by police who told police that two females who were pelting stones and bricks on the police personnel were Smt. Pushpa Devi and Baby Kumari.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The name of the petitioner has transpired in this case merely on suspicion. There is general and omnibus allegation against the petitioner. The petitioner has no concern with the alleged offence. Nothing has been recovered from the conscious possession of the petitioner, hence no case is made out. The co-accused persons have already been granted anticipatory bail by this court vide order dated 05.03.2024 passed in Cr. Misc. No. 13684 of 2024. The petitioner has one criminal antecedent as stated in para 3 of the bail petition.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid facts and circumstances



of the case as well as the nature of allegation against the petitioner, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of learned court concerned, Danapur, Patna in connection with Maner P.S. Case No. 681 of 2023, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

7. This application stands allowed.

(Chandra Prakash Singh, J)

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