

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28379 of 2024

Arising Out of PS. Case No.-110 Year-2023 Thana- MAGADH MEDICAL COLLEGE
District- Gaya

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Radhey @ Lambodar Yadav @ Lalan Kumar SON OF Phutani Yadav
Resident of Mohalla Fatehganj, P.S.- Kotwali, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shashi Kant
For the Opposite Party/s : Mr. Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 226-07-2024
1. Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out of Magadh Medical Police Station Case No. 110 of 2023, dated 08.03.2023, disclosing offences under Sections 147/148/149/341/323/307/353/337/504 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, as per the First Information Report, is that a free fight took place between two groups of persons, who were engaged in firing and when the police personnel arrived there and tried to pacify the matter, the accused persons, named in the First Information Report, pushed the police personnel and prevented them from



discharging their duties.

4. Learned counsel for the petitioner submits that the petitioner is said to be the member of an unlawful assembly, belonging to the first group. In the First Information Report, the police officer has disclosed the name of the persons, who pushed the police personnel when the police party tried to pacify the matter, namely, Vikram Singh and others. The name of the petitioner, along with others, have been disclosed showing that the petitioner was a member of the group of first party. He next submits that there is allegation against the petitioner that he interfered with the discharge of official duty of police party. He further submits that for the same occurrence, two First Information Report have been lodged, one by the police party and other by the second group. In the First Information Report, lodged by the second group, the petitioner has been granted anticipatory bail by a Co-ordinate Bench of this Court in Cr. Misc. 47561 of 2024 and some of the similarly situated accused persons have been granted bail by this Court in present First Information Report as would be evident from Annexure-2 series.



5. Regards being had to the submissions made on behalf of the parties and taking into consideration the nature of allegation and the fact that similarly situated accused persons have been granted bail by a Co-ordinate Bench of this Court, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Gaya, in connection with Magadh Medical Police Station Case No. 110 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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