

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32428 of 2024

Arising Out of PS. Case No.-709 Year-2023 Thana- GAURICHAK District- Patna

Shailendra Kumar S/o- Bhagwan Das Village- Bakarchak PS-Gaurichak dist-
Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chetanand Paswan, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 26-04-2024 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Gaurichak PS Case No. 709 of 2023 instituted for the offences under Sections 147, 148, 149, 188, 307, 323, 324, 325, 332, 333, 337, 338, 353, 427, 504 & 506 of the Indian Penal Code.

3. As per prosecution case, the informant alleged that upon instigation one Golden Das, the petitioner and co-accused persons created hindrance and assaulted many police officials due to which 8 police personnel sustained injuries.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. There is no specific allegation levelled against the petitioner rather general and omnibus allegation has been



levelled against him. The specific allegation of instigation is levelled against co-accused, namely, Golden Das. No incriminating article has been recovered from the conscious possession of the petitioner. Charge sheet has been submitted in this petitioner. The petitioner is languishing in judicial custody since 12-12-2023 and has no criminal antecedent. Other co-accused has been granted bail by this Court *vide* orders dated 05-04-2024 & 19-04-2024, passed in Cr. Misc. No. 25586 of 2024 and Cr. Misc. No. 30756 of 2024, respectively.

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

6. Considering the aforesaid facts and circumstances of the case, clean antecedent of the petitioner, claim based on parity and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Gaurichak PS Case No. 709 of 2023.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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