

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34739 of 2024

Arising Out of PS. Case No.-423 Year-2023 Thana- BHAGWAN BAZAR District- Saran

Lalu Ray, son of Ganesh Ray R/o- Gandhi Masjid, Nai Bazar, P.S.- Bhagwan
Bazar Dist- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Md. Aslam Ansari, Advocate

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 28-06-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Bhagwan Bazar P.S. Case No. 423 of 2023, instituted under Sections 147, 148, 149, 188, 290, 153(A), 295, 295(A), 296, 337, 338, 307, 332, 333, 353, 427, 120(b) of the Indian Penal Code and Section 9 of the Bihar Control of Use and Play of Loudspeaker Act, 1955.

3. As per the prosecution case, during the procession of Goddess Durga immersion the procession reached near Masjid and stopped and chanting slogans. Thereafter, when the procession started moving ahead some unsocial elements started throwing stones on the procession.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this



case merely on suspicion. There is general and omnibus allegation. Petitioner is a farmer and engaged in agricultural work. No specific allegation is attributed against the petitioner. He further submits that similarly situated other co-accused, namely, Sanjay Kumar has been granted anticipatory bail by this Court, vide order dated 22.05.2024 passed in Cr. Misc. No. 32926 of 2024. Petitioner has no criminal antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submission of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. 1st, Saran at Chapra/ concerned Court in connection with Bhagwan Bazar P.S. Case No. 423 of 2023, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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