

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32926 of 2024

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

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Sanjay Kumar S/O Baijnath Prasad @ Baidanath Prasad R/O Mohalla- Nai
Bazar, P.S- Bhagwan Bazar, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Vijay Srivastva, Advocate
For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 22-05-2024 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 and 120(B) of the Indian
Penal Code and Section 9 of Bihar Control Use and Play of
Loudspeaker Act, 1955.

3. As per the prosecution case, during the procession



of Goddess Durga immersion when the procession reached near Masjid it was stopped and music and chanting slogan were done. It is further alleged that some unsocial elements started throwing stones on the procession just when the procession started moving ahead.

4. Learned counsel for the petitioner is innocent and has been falsely implicated in this case. He further submits that the petitioner runs a small shop of General Stores and he was half kilometer away from the place of occurrence and thus he was not present at the place of occurrence. He also submits that the petitioner has been made accused only on the basis of suspicion and due to village politics. The petitioner has no criminal antecedent and he undertakes to co-operate in the investigation and trial.

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

6. Considering the facts and circumstances of the case and submissions 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 to each to the satisfaction of the learned



Additional Chief Judicial Magistrate-I, Saran at Chapra/Concerned Court Below 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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