

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39206 of 2024

Arising Out of PS. Case No.-106 Year-2023 Thana- KHIJARSARAI District- Gaya

Sourav Kumar @ Ganeshjee @ Amit Kumar son of Ramanuj Sharma Village-
Gamharpur, P.S. Khizersarai, Dist- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 19-07-2024 Heard Mr. Sunil Kumar, learned counsel for the

petitioner and the learned Additional Public Prosecutor for the

State.

2. The petitioner apprehends his arrest in connection
with Khizersarai P.S. Case No. 106 of 2023 registered for the
offences punishable under Sections 147, 341, 323, 307, 427,
337, 379 of the Indian Penal Code and Section 37 of the Bihar
Prohibition and Excise Amendment Act, 2022.

3. While the informant along with his family members
coming from Tilak ceremony from their vehicle, in the
meantime, all the F.I.R. named accused persons including the
petitioner and 7-8 unknown persons surrounded their vehicle
and started pelting stones and damaging the vehicle. It is further
alleged that the accused persons also assaulted them and



snatched the valuables.

4. Learned counsel appearing on behalf of the petitioner submitted that from the FIR it is evident that no specific allegation has been levelled against any of the FIR named accused persons. That apart, the persons of both the sides are known to each other and only on account of an old enmity the name of the petitioner has been implicated in this case. It is further contended that other co-accused persons having identical allegations have been allowed the privilege of anticipatory bail by this Court and by a learned co-ordinate Bench of this Court, in Cr. Misc. Nos. 62960 of 2023 and 57963 of 2023 vide orders dated 16.10.2023 and 11.10.2023, respectively. The petitioner is a man of fair antecedent.

5. On the other hand, learned counsel for the State opposed the bail application.

6. Regard being had to the submissions made on behalf of the parties and taking into consideration the omnibus nature of allegation, coupled with the fair antecedent and the fact that there is no injury report as also the other co-accused persons having identical allegations have been allowed the privilege of bail, let the petitioner, above named, be released on bail, in the event of his arrest or surrender before the court



below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned Exclusive Special Excise, Court No.2, Gaya in connection with Khizersarai P.S. Case No. 106 of 2023, subject to the conditions laid down in Section 438(2) Cr.P.C. with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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