

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47399 of 2024

Arising Out of PS. Case No.-137 Year-2024 Thana- ISLAMPUR District- Nalanda

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Santosh Kumar @ Lal Badshah, aged about 24 years, Male, Son of Raman Yadav @ Ramnandan Yadav, Resident of Village - Rohinpar, Ugrah Bigha, P.S. - Islampur, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nalin Vilochan Tiwary, Advocate

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 07-08-2024 Heard Mr. Nalin Vilochan Tiwary, learned counsel appearing on behalf of the petitioner and Mr. Chandra Bhushan Prasad, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Islampur P.S. Case No. 137 / 2024 registered for the offence(s) punishable under Sections 147, 148, 149, 341, 342, 323, 337, 338, 353, 354, 332, 333, 307 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the allegation made in the FIR, prior to one day of Holi festival, accused persons, who were enjoying DJ music, indulged into fierce fight and when they were stopped by the police force, they misbehaved and obstructed the police force in performing their official duty.



4. Learned counsel appearing on behalf of the petitioner submitted that allegation has been made against fifteen named accused and 25-30 unknown persons and the allegation against the petitioner is general and omnibus. Petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation as well as the fact that petitioner has clean antecedent, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the learned District Court within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-III, Hilsa, Nalanda in connection with Islampur P.S. Case No. 137 / 24 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in



paragraph no.3 of the bail application, this order will
automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

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