

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59167 of 2024

Arising Out of PS. Case No.-185 Year-2024 Thana- JAMUI District- Jamui

Rahul Rajak @ Rahul Kumar Son of Upendra Rajak R/V- VILLAGE-
SATGAMA, P.S- JAMUI, DIST.- JAMUI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Yogendra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-08-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 147, 148,
149, 353, 332, 333, 188, 504, 341 and 323 of the Indian Penal
Code read with Sections 37 and 45 of the Bihar Excise Act.

3. Learned counsel for the petitioner submits
petitioner has antecedent of one case and the informant alleges
that police received information that in village Satgama, a fight
had arisen in between the two communities accordingly, the
police reached the place of occurrence where accused persons
including the petitioner had assembled from before and they
started abusing the police and even pelted stones in which police
personnel were injured and on breath analyzer report, maximum



people in the crowd were found in a drunken condition and the accused persons came to be identified based on video clips

4. Learned counsel for the petitioner submits that petitioner was not arrested from the spot as such it cannot be alleged that he was in a drunken condition. It is also submitted that since an occurrence had taken place and the petitioner resides nearby, as such, he also went to the place of occurrence on hearing that a fight has broken out when police came and as such it appears that the petitioner also was implicated based on video clip.

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

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Jamui P.S. Case No. 185 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.



7. However, it is made clear the learned Trial Court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event if it is found that petitioner has antecedent of more than one case in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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