

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56526 of 2024

Arising Out of PS. Case No.-142 Year-2024 Thana- LAHERIMUHALLA District- Nalanda

Bikki Kumar @ Gera Son of Jitendra Prasad @ Jitu Yadav @ Mauga R/O
Katra par, P.S.- Laheri, Dist.- Nalanda.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 02-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Laheri P.S. Case No. 142 of 2024 dated 27.03.2024 instituted for
the offence punishable under Sections 147, 149, 188, 307, 337,
353, 504 the Indian Penal Code.

3. The prosecution case, in short, is that on the alleged
date and time of occurrence, while the informant along with police
party were on duty on the eve of Holi festival, 20-25 persons
blocked the road using loud speakers in high volume and when the
informant demanded permission order for the same, they became
aggressive and used filthy language for the police personnel and
started brick-batting on the police party. Local persons have
identified the person on seeing the video of the incident.



4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the present F.I.R. has been lodged against 19 named accused persons including the petitioner and other unknown persons. Learned counsel for the petitioner submits that similarly situated co-accused persons, namely, Sonu Kumar has been granted bail vide order dtd 03.07.2024 passed by this Court in Criminal Miscellaneous No. 39150 of 2024. Co-accused, Sagar Kumar has also been granted bail today by this Court vide Criminal Miscellaneous No. 45252 of 2024. Learned counsel for the petitioner further submits that there is no specific allegation against the petitioner rather the allegation against the petitioner is general and omnibus. Lastly, it has been submitted that petitioner has two criminal cases against him.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Laheri P.S. Case No. 142 of 2024, he will 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 the learned C.J.M., Nalanda at Biharsharif,



subject to condition as laid down under Section 438(2) of the Cr.P.C., as well as the following conditions:-

- I. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.
- II. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.
- III. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.
- IV. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

premchand/-

U		T	
---	--	---	--

