

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58953 of 2024

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

1. Bishal Kumar Son Of Manoj Ram Resident Of Katra Par, P.S. - Laheri, District - Nalanda
2. Shivadi Kumar Son Of Late Kishori Ram Resident Of Katra Par, P.S. - Laheri, District - Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Saroj Kumar Choudhary, Advocate Mr. Abhishek, Advocate
For the Opposite Party/s	:	Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 09-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioners apprehend 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 of 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 accused persons on seeing of the incident.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in this case. It is further submitted that the F.I.R. has been lodged against 19 persons including the petitioners. Learned counsel for the petitioners submits that it is manifest from the F.I.R. that there was Holi festival and on the occasion, the people of mohalla were using sound box peacefully and not creating any nuisance rather there was an occasion of *matka phod* Holi and only to highlight himself, the police officer concocted this false story and lodged F.I.R. against 19 persons including the petitioners. Learned counsel for the petitioners further submits that the petitioners are student. There is no specific allegation against the petitioners. No incriminating articles have been recovered either from the possession of the petitioners or from their house. Similarly situated co-accused, namely, Sonu Kumar has been granted bail vide order dated 03.07.2024 passed by this Court in Criminal Miscellaneous No. 39150 of 2024. Lastly, it has been submitted that petitioners have no criminal antecedents.

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

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 petitioners within a period of six weeks from today, in connection with Laheri P.S. Case No. 142 of 2024, they will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each 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.

(Khatim Reza, J)

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