

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64001 of 2024

Arising Out of PS. Case No.-243 Year-2023 Thana- GAIGHAT District- Muzaffarpur

Sanjeev Kunvar @ Sanjeev Kumar S/O Shambhu Kunvar Resident of
Village- Bhusara, P.S.- Gaighat, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar Singh Advocate

For the Opposite Party/s : Mrs.Anita Kumari APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 13-09-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Gaighat PS Case No. 243 of 2023 dated 23-06-2023, instituted
under Sections 147,148,149,341, 323, 324, 307, 332, 333, 353,
435, 436, 427, 504 and 506 of the Indian Penal Code.

3. As per allegation in the First Information Report
(for brevity 'FIR'), the informant, who is a police officer,
received an information that two persons died in a road accident
and thereafter, he along with other police personnel reached at
the place of occurrence and saw that a mob of 100-150
miscreants blocked the road and they were raising slogan
against the death of both persons. When the police personnel
tried to pacify the matter, the accused persons started assaulting



them with '*Lathi*', '*Danda*' etc., and they also threatened them.

4. The learned counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. It is further submitted that the FIR has been lodged against 26 named accused persons, some motorcycles and 100 to 125 unknown accused persons. It is next submitted that the petitioner has been named in the FIR. It is submitted that there is specific allegation against co- accused, namely, Santosh Kunwar and Jitendra Kunwar. The petitioner has been made accused only on the basis of suspicion and disclosure made by the '*Chowkidar*'. Also, the other similarly situated persons have already been granted anticipatory bail by this Court as well as Co-ordinate Benches of this Court *vide* orders dated 31-01-2024, 06.03.2024 and 14-03-2024 passed in Cr. Misc. Nos. 3126 of 2024, 11020 of 2024 , 15217 of 2024 respectively. Lastly, it has been submitted that the petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner 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 JM-1st, Muzaffarpur, in Gaighat PS Case No.243 of 2023, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

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