

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59671 of 2024

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

Langra @ Kuku Malakar @ Deepak Kumar @ Kuku Mali, aged about 27 years, Gender- Male, son of Shrawan Malakar, resident of Mohalla- Katrapar, P.S.- Laheri, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Sinha

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 06-09-2024 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 and 504 of the Indian Penal Code.

3. The prosecution case, in short, is that on 26.03.2024, 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 then they became aggressive and used filthy language for the police personnel and started brick-batting on the police party. Local persons have



identified the persons 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 submitted that FIR has been lodged against 19 named accused persons including the petitioner. It is manifest from the F.I.R. that there was *Holi* Festival and on the occasion, the people of locality were using sound box peacefully and not creating any nuisance rather there was an occasion of *Matka Phod Holi* and only to highlight the incident, the police officer concocted this false story and lodged F.I.R. against 19 persons including the petitioner. It is further submitted that nothing has recovered from the possession of the petitioner. The other similarly situated co-accused, namely, Sonu Kumar and Deepak Kumar have been granted anticipatory bail by this Court *vide* order dated 03-07-2024 passed in Cr. Misc. No. 39150 of 2024 and order dated 20.07.2024 passed in Cr. Misc. No.45325 of 2024 respectively. Lastly, it has been submitted that the petitioner has no criminal antecedents.

5. Learned A.P.P. has opposed the prayer for 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, the petitioner shall be released on anticipatory 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.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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