

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66734 of 2024

Arising Out of PS. Case No.-302 Year-2023 Thana- BIHAR District- Nalanda

Gandhi @ Awadhesh Kumar Son of Mahendra Mahto R/o Village- Banauliya,
Hat P.S.- Bihar, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sameer Darshan

For the Opposite Party/s : Mr.Nityanand

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-10-2024 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, 188, 341, 323, 324, 325, 337, 338, 332, 333, 353, 504,
506, 307, 427, 120B of the Indian Penal Code and Section
25(1-b)a/26/27 of the Arms Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that while he was on patrolling duty when he received
an information that between two different religious groups,
disputes had arisen, on account of which both sides are
indulging in pelting stones and firing, accordingly he along



with police force reached the place of occurrence, when the accused on seeing the force fled and four persons were apprehended, who disclosed the name of 16 accused persons, further from the place of occurrence, empty cartridges were recovered.

4. It is next submitted that name of the petitioner transpired in the confessional statement of the apprehended accused in police custody which does not have any evidentiary value. It is next submitted that since petitioner resides near the place of occurrence as such out of inquisitiveness he had also gone to witness as to what was happening, when he came to be implicated. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

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. 10,000/- (Rupees Ten 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 Bihar P.S. Case No. 302 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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