

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71332 of 2024

Arising Out of PS. Case No.-156 Year-2024 Thana- ASHTHAWAN District- Nalanda

Manoj Mochi S/o Suresh Mochi Resident of Village- Panchi, P.S.- Shekhpura,
District- Shekhpura.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anil Kumar No. I, Advocate
Ms. Deepanjali Kumari, Advocate
Ms. Sonam Kumari, Advocate
For the State : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-10-2024 Heard Ld. counsel for the petitioner and Ld. APP for
the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Asthawan P.S. Case No. 156 of 2024,
registered for the offences punishable under Sections
191(2)/190/223/196/299/61(2) of the Bharatiya Nyaya Sanhita,
2023.

3. As per allegation, the Petitioner has raised slogan of
'Jai Shree Ram' when there was a procession of *Taziya*. When
the police came, the Petitioner fled away.

4. Ld. counsel for the petitioner submits that the
Petitioner is innocent and has falsely been implicated in this
case. He further submits that the Petitioner was not present on



the place of occurrence. He also submits that on the basis of doubt the Petitioner has been implicated and there is no violence committed in the alleged occurrence.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.2 of the bail petition that the petitioner has no criminal antecedents.

7. However, Ld. APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Chief Judicial Magistrate, Bihar Sharif, Nalanda, in connection with Asthawan P.S. Case No. 156 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of the court



below that the petitioner has any criminal antecedents, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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