

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77668 of 2023

Arising Out of PS. Case No.-637 Year-2022 Thana- RAJGIR District- Nalanda

RAJU SAW @ RAJ KUMAR SAW S/O SHIVLAL SAW R/O MOHALLA-
AMBEDAKAR CHOWK, P.O AND P.S- RAJGIR, DISTT.- NALANDA AT
BIHARSARIF.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Pandey, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 19-04-2024 Heard learned counsel for the petitioner and the
State.

2. The petitioner is apprehending his arrest in connection with Rajgir P.S. Case No. 637/ 2022 registered for the offence punishable under Sections 147, 149, 153, 353, 323, 504 and 506 of the Indian Penal Code (for brevity 'IPC').

3. As per the prosecution case , it is alleged that certain persons obstructing the drive for removing encroachments and inciting communal hatred in the process.

4. Learned counsel for the petitioner submits that petitioner has falsely been made accused in this case only on the basis of suspicion . Petitioner was neither present at the place of occurrence nor he is connected with the alleged offence . There



is 21 days delay in lodging the FIR, which itself casts serious doubt over the entire prosecution case . Similarly situated co-accused persons have already granted bail by this Court vide order dated 30.08.2023 in Cr. Misc. No. 55931 of 2023 .
Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate , Nalanda in connection with Rajgir P.S. case No. 637 of 2022 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

Koushik/-

U		T	
---	--	---	--

