

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1189 of 2024

Arising Out of PS. Case No.-325 Year-2023 Thana- BARACHATTI District- Gaya

1. Rahul Kumar Son of Bharat Paswan R/o vill - Mushehna, P.O. - Kurmama, P.S. - Barachatti, Distt. - Gaya
2. Bhola Kumar Son of Ram Prasad Mahto R/o vill - Mushehna, P.O. - Kurmama, P.S. - Barachatti, Distt. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh

For the Opposite Party/s : Mr. Raj Ballabh Singh

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 31-01-2024 Heard learned counsel for the petitioners as well as the learned APP for the State.

2. The petitioners apprehend their arrest in connection with Barachatti P.S. Case No. 325 of 2023, registered for the offences punishable under Sections 147, 148, 149, 323, 341, 342, 353, 153(A), 295, 298, 307, 504, 506 of the Indian Penal Code.

3. As per allegation, 35 to 40 persons came with the procession of Ramnavmi which was intercepted by 40 to 50 persons of Bhadeya Village. It is further alleged that one of the accused parked his vehicle in front of procession, who is also making demand of root license of the procession. Thereafter, persons of both the community started passing objectionable remarks to each other.



4. The learned counsel for the petitioners has submitted that the petitioners are the persons of clean antecedents and they have falsely been implicated in the present case. The FIR shows that it is a free-fight between two groups. The allegation is general and omnibus. He has further submitted that on similar footing some of the co-accused persons have been granted anticipatory bail by different Benches of this Court in Cr. Misc. Nos. 75808, 76743 and 78190 of 2023.

5. Considering the above-mentioned facts and circumstances, especially the clean antecedent, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-II, Sherghati (Gaya) in connection with Barachatti P.S. Case No. 325 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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