

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85795 of 2023

Arising Out of PS. Case No.-214 Year-2023 Thana- LAHERIMUHALLA District- Nalanda

DR. ASHUTOSH KUMAR @ ASHUTOSH KUMAR S/O LATE BALDEO PRASAD R/O MOHALLA- RAMCHANDARPUR, BIHARSHARIF, P.S- LAHERI, DISTT.- NALANDA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Onkar Nath, Adv.

For the Opposite Party/s : Mr.Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 18-01-2024 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable u/s 147, 148, 149, 341, 342, 323, 324, 325, 307, 337, 338, 332, 333, 353, 504, 506, 153 (A), 295, 379, 380, 435, 436, 427, 109, 120(B) of the IPC and 27 of Arms Act.

3. As per the prosecution case, the F.I.R. named accused persons along with 500 unknown tried to disturb the communal harmony during the Ramnavami procession by raising provocative slogans, pelting stones, firing against each other and damaging the public property. The accused persons are also alleged to have created hindrance in discharging the official duties of the police.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. He has



been falsely implicated in this case due to grudge. No such occurrence, in the manner as alleged, has ever taken place. The allegation leveled against the petitioner is not specific rather general and omnibus in nature. Petitioner has no criminal antecedent and similarly situated co-accused has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 11.08.2023 passed in Cr. Misc. No.48677 of 2023 (Annexure-2 of this application).

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, since the similarly situated co-accused has been granted bail, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Laheri P.S. Case No.214 of 2023 (G.R. No.-1764/2023), subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

pallavi/-

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

